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THE
REVISED ORDINANCES

OF

1892

OF THE

CITY OF CAMBRIDGE

AS AMENDED TO NOVEMBER 8, 1890

PUBLISHED BY ORDER OF THE CITY COUNCIL



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AN ACT

TO AMEND THE CHARTER OF THE CITY OF CAMBRIDGE

CHAPTER 364, ACTS OF 1891,

AS AMENDED BY CHAPTER 173, ACTS OF 1896

1. Municipal powers continued.
2. Administration of affairs and government vested in mayor and city council. Each branch to sit separately. Mayor and aldermen, how chosen. Common council, apportionment of members. How elected.
3. Number and boundaries of wards. Present apportionment of councilmen. Members of common council to be reapportioned every five years.
4. Annual municipal election. Term of office. Election of assessors and school committee. Term of office. Vacancies.
5. Elections to be held in pursuance of warrants. General meetings of qualified voters.
6. In case of non election of the mayor or members of the city council. Vacancies, how filled. Removal from one ward to another shall not create a vacancy.
7. Mayor, aldermen and common councilmen to be sworn. Certificate of oath to be entered in record.
8. Executive powers, vested in the mayor. Surveyors of highways. Mayor to have control of police force. Special meetings of city council. Shall communicate such information as the interests of city require. Shall be *ex-officio* chairman of school committee. General duties. May summon heads of departments for consultation.
9. Officers shall be resident citizens. Mayor shall appoint officers. Appointment of assistant assessors. Appointments by mayor shall not be acted upon for one week, except, etc.
10. Removal of officers.
11. Ordinances, orders, etc., to be presented to the mayor for approval. He may veto votes of the city council. If not returned by mayor within ten days, order, etc., to be in force. Partial veto. May veto orders and votes of the aldermen.
12. Mayor to execute deeds, leases, etc.
13. Mayor shall keep record of official acts, may appoint a clerk. Salary.
14. Existing powers vested in city council. Quorum. No member shall receive compensation. Sittings to be public, except, etc.
15. City council may make ordinances and fix penalties.
16. Laying out, altering, etc., streets, and taking land for sewers. Damages and appeal.
17. Fire department. Powers of engineers.
18. Money not to be paid out unless appropriated. Report of receipts and expenditures.
19. Election of city clerk and assistant. May be removed. Duties. Election of city messenger and clerk of committees.
20. Election of city treasurer and city auditor. Treasurer to be collector of taxes. May be removed. Election of city solicitor. May be removed.
21. Election of overseers of the poor.
22. Treasurer may appoint deputy collectors of taxes. Special powers of treasurer.
23. Fees and commissions to be paid into city treasury.
24. Vacancies in board of assessors.
25. Members of city council shall not take part in the employment of labor. Nor, be appointed to any office of emolument.
26. Board of aldermen to be final judge of election of its members, and the members of school committee. President of board of aldermen. Special meetings. Mayor not to preside or appoint committees.
27. Board of aldermen may authorize the construction of sidewalks and assess for expense.
28. May fix number and compensation of police force. May grant licenses. General duties of aldermen.
29. President and clerk of common council. Duties of clerk. To be final judge of election of its members.
30. Vacancies in either branch.
31. School committee and overseers of poor, powers and duties. Superintendent of schools. Janitors of school-houses. Overseers of the poor to organize.
32. City council, etc., may employ clerks and attendants.
33. Officers to continue until successors are qualified.

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| <p>34. Heads of departments to appoint subordinates, except chief of police and engineer of fire department.</p> <p>35. Contracts for labor and material. Care of public works and buildings. Executive officers to be accountable to mayor. Contracts exceeding \$200 to be approved by the mayor. No expenditures in excess of appropriation to be made.</p> <p>36. Heads of departments to furnish estimates to mayor. Mayor to submit them, with recommendations, to the city council. City council to make appropriations.</p> | <p>37. Ordinances to remain in force unless inconsistent.</p> <p>38. Not to affect the licensing of railway drivers, etc., the appointment of registrar of voters, metropolitan sewerage system, or the civil service laws. Or the tenure of office of officers now in position. Water board and Cambridge cemetery commissioners.</p> <p>39. Repeal of original charter and amendments, etc., etc. Repeal not to revive any act before repealed.</p> <p>40. Act to be submitted to people for acceptance.</p> <p>41. When to take effect.</p> |
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Be it enacted, etc., as follows :

SECTION 1. The inhabitants of the city of Cambridge, in the county of Middlesex, shall continue to be a body corporate and politic under the name of the city of Cambridge, and as such, shall have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties and obligations provided for herein, or otherwise pertaining to said city as a municipal corporation.

SECT. 2. The administration of the fiscal, prudential and municipal affairs of said city, and the government thereof, shall be vested in a mayor and a city council, which shall consist of a board of aldermen consisting, until the municipal year beginning on the first Monday in January in the year eighteen hundred and ninety-three, of ten members, and thereafter of eleven members, and a common council consisting of twenty members. Each branch shall sit separately, except when required to meet in joint convention by the provisions of this charter or by a concurrent vote. The qualified voters of the whole city shall elect from among their number the mayor and aldermen. The city council shall apportion the members of the common council among the several wards as nearly as may be on the basis of population, and the qualified voters of each ward shall elect from among their number the members of the common council to which it shall be entitled on such apportionment.

SECT. 3. The city shall continue to be divided into five wards, which shall retain their present boundaries until the same shall be changed under the general law relating thereto. The present apportionment of councilmen shall be retained until October in the year eighteen hundred and ninety-five. The city council shall, in the month of October in the year eighteen hundred and ninety-five and every fifth year thereafter, apportion the members of the common council to the several wards, in accordance with the provisions of the preceding section.

SECT. 4. An annual election for the choice of city officers shall be holden on the Tuesday next following the second Monday in

December, and all officers who are chosen by the qualified voters shall be chosen by ballot; and such officers, except the assessors and the members of the school committee, shall hold their respective offices for the succeeding municipal year; to wit, beginning with the first Monday in January succeeding the annual election and continuing till the first Monday in January of the year following and until others shall be chosen and qualified to act in their stead. The qualified voters of the city shall at each annual election choose one of their number to be assessor for the term of three years, and one person from each ward as a member of the school committee for the term of three years, and shall, at such election, fill for the unexpired term such vacancies as occur at the end of the municipal year.

SECT. 5. All meetings of the qualified voters, for the purpose of voting at elections or for the transaction of municipal affairs, whether in city or in ward meetings, shall be holden in pursuance of warrants for that purpose, which shall be issued by the board of aldermen and shall be in such form and served and returned in such manner and at such time as the city council by ordinance shall direct. The board of aldermen shall issue their warrant for a general meeting of the qualified voters, for any constitutional or legal purpose, whenever requested to do so, in writing, by thirty such voters.

SECT. 6. If at the annual election a mayor or the required number of members of the city council shall not have been elected, or if any person elected shall refuse to accept the office to which he was chosen, the board of aldermen shall make a record of the fact and forthwith issue their warrant for another election; and the same proceedings shall be had as are provided by law for the original election; and the same shall be repeated from time to time until a mayor and the required number of members of the city council shall have been chosen. Whenever a vacancy shall occur in either office by death, resignation or otherwise, the board of aldermen may, and if such vacancy occur prior to the first of July in any year shall, forthwith issue their warrant for a new election. The removal of a person holding office from one ward to another shall not create a vacancy in such office, nor shall a change of ward boundaries create a vacancy in any office.

SECT. 7. The mayor, aldermen and members of the common council shall, before entering upon their offices, be sworn to the faithful performance of their respective duties; and for that purpose shall meet in convention on the first Monday in January in each year at ten of the clock in the forenoon, when such oath may be administered to the mayor elect by any judge of any

court of record in the Commonwealth or by any justice of the peace, and to the aldermen elect and common councilmen elect by the mayor, he being first sworn as aforesaid, or by any justice of the peace. A certificate that such oath has been taken shall be entered in the journals of the board of aldermen and of the common council by their respective clerks. If the mayor or any one or more of the aldermen or common councilmen shall not be present on the first Monday in January to take the oath required of them, the same may be administered to the mayor or aldermen at any meeting of the board of aldermen, and to the common councilmen at any meeting of the common council, thereafter, before entering upon office. A certificate that such oath has been taken shall be entered in the journal of the board at the meeting at which it was administered.

SECT. 8. The executive powers of said city and all the executive powers now vested in the mayor and in the board of aldermen, and in the surveyors of highways, shall be and hereby are, vested in the mayor, to be exercised through the several officers and boards of the city in their respective departments, under his general supervision and control. He shall at all times have the control and direction of the police force. He may call special meetings of the board of aldermen and of the common council, or either of them, when in his opinion the interests of the city require it, by causing the notification to be left at the usual dwelling place of each member of the board or boards to be convened. He shall from time to time communicate to said boards respectively such information, and recommend such measures, as the interests of the city shall in his judgment require. He shall be *ex officio* chairman of the school committee, but shall have no right to vote. The mayor shall cause the laws, ordinances, orders and regulations of the city to be executed and enforced. He shall exercise a general supervision and control over the official acts and conduct of all officers, and take proper action to cause every violation or neglect of duty to be punished. It shall be his duty to secure an honest, efficient, and economical conduct of the entire executive and administrative business of the city and the harmonious and concerted action of the different departments. The mayor may at any time summon heads of departments or subordinate officers for information, consultation, or advice upon the affairs of the city.

SECT. 9. All officers of the city not elected by the qualified voters shall be resident citizens of the city of Cambridge, and shall, except as herein otherwise provided, be appointed by the mayor, subject to confirmation by the board of aldermen, and for such terms respectively as are or may be fixed by law or ordinance,

or, in case of an appointment to fill a vacancy, for the unexpired term. Subject to confirmation, as aforesaid, the mayor shall annually in the month of February appoint one person from each ward to be an assistant assessor for the term of one year, beginning with the first day of March of that year. No appointment made by the mayor shall be acted upon by the board of aldermen until the expiration of one week after such appointment is transmitted to said board, except by unanimous consent of said board.

SECT. 10. The mayor after due hearing may, with the approval of a majority of the board of aldermen, remove any member of the board of overseers of the poor or the board of health, any assistant assessor, any member of the police force or fire department, and any other officer of the city, except the members of the city council and school committee and their clerks and attendants, the principal assessors, the city clerk, the assistant city clerk, the city treasurer, the city auditor, the city messenger, clerk of committees, and city solicitor, for cause assigned by him.

SECT. 11. Every ordinance, order, resolution or vote to which the concurrence of the board of aldermen and of the common council may be necessary, except on a question of the convention of the two branches, and every order of either branch involving expenditure of money, shall be presented to the mayor. If he approve thereof, he shall signify his approval by signing the same, but if not, he shall return the same with his objections to the branch in which it originated, which shall enter the objections of the mayor, at length, upon its records and proceed to reconsider said ordinance, order, resolution, or vote, and if after such reconsideration two-thirds of the board of aldermen or common council, notwithstanding such objections, vote to pass the same, it shall be in force, unless it originally required concurrent action, in which case it shall, together with the objections, be sent to the other branch of the city council, where it shall also be reconsidered, and if approved by two-thirds of such other branch, it shall likewise be in force. In all cases the vote shall be taken by yeas and nays. If such ordinance, order, resolution or vote shall not be returned within ten days after it shall have been presented to the mayor, the same shall be in force. He may except from his approval of any ordinance, order, resolution or vote of which he has the power to vote, any portion involving a distinct item of expenditure; in such case instead of returning the original he shall transmit a copy of such portion not approved, which portion shall be reconsidered in the manner and with the effect above provided. The mayor's approval shall likewise be required to, and he shall have a similar power of

veto, and with like limitations, over any order or vote of the board of aldermen which involves the exercise of any of the powers conferred by law upon the mayor and aldermen, or upon the board of aldermen as a separate board, but nothing herein contained shall affect the powers of said board in relation to votes cast at elections, nor shall the veto power of the mayor extend to elections.

SECT. 12. The mayor shall have sole power to sign, seal, execute and deliver, in behalf of the city, deeds and leases of land sold or leased by the city, and other deeds, agreements, contracts, leases, indentures and assurances on behalf of the city, except as herein otherwise provided.

SECT. 13. The mayor shall cause to be kept a record of all his official acts, and may, without confirmation by the board of aldermen, appoint a clerk, whose compensation shall be fixed by the city council. The mayor shall receive for his services such salary as the city council shall determine, payable at stated periods, and shall receive no other compensation; but such salary shall not be increased or diminished during his term of office.

SECT. 14. All the powers now vested by law in the city of Cambridge, or in the inhabitants thereof as a municipal corporation, except as herein otherwise provided, shall be vested in the city council and shall be exercised by a concurrent vote, each branch having a negative on the other. A majority of each branch shall constitute a quorum for the transaction of business. No member of either branch shall receive any compensation for his services. All sittings of the city council, or of either branch thereof, except for the consideration of candidates for election and except the sittings of the board of aldermen for consideration of appointments by the mayor, shall be public. But all votes on elections and on confirmations shall be taken in public.

SECT. 15. The city council shall have power to make ordinances and to fix penalties therein, as provided herein and by general law, which shall take effect from the time therein limited, without the sanction or confirmation of any court or justice thereof. All city ordinances shall be duly published, and in such newspaper or newspapers in said city as the city council shall direct. The city council may also by ordinance regulate the loads of vehicles using the streets of said city, and provide for the appointment, in accordance with the provisions of section nine, of public weighers, measurers and surveyors, surveyors of mechanics' work, inspectors of junk shops and of junk collectors, inspectors of pawnbrokers and of dealers in second-hand articles, and other needful officers, and define their powers and duties, and fix their compensation.

SECT. 16. The city council shall have exclusive authority, subject to the veto power of the mayor, to lay out, alter, discontinue or fix the grade of any highway, street or town way, and to take land therefor and for the construction of public drains and common sewers, and to estimate the damage which any person shall sustain thereby, but action upon said matters shall be first taken by the board of aldermen. Any person dissatisfied with the decision of the city council in the estimate of damages may, within one year thereafter, make complaint and application for a jury to the superior court in the county of Middlesex, upon which application the same proceedings shall be had as are or may be provided in sections one hundred and five, one hundred and six, one hundred and seven and one hundred and eight, of chapter forty-nine of the Public Statutes, or any acts in amendment thereof.

SECT. 17. The city council may establish a fire department, with such officers, apparatus and regulations for the government thereof as shall from time to time be prescribed by ordinance not inconsistent with this act. The engineers of the fire department shall have the powers of fire wards and all powers conferred by section four of chapter thirty-five of the Public Statutes, in like manner as if said city had accepted said section.

SECT. 18. The city council shall take care that no money shall be paid out from the city treasury unless previously granted and appropriated, and shall secure a just and proper accounting, in such manner as they may direct, from all boards and officers intrusted with the receipt, custody or disbursement of the moneys or funds of the city. The city council shall publish, once in every year at least, for the use and information of the inhabitants, a particular account of the receipts and expenditures of the city and a schedule of the property and debts of the city; the mayor and all officers and boards of the city shall make for such purpose such reports as the city council may request.

SECT. 19. The city council shall annually in the month of February by concurrent vote, the board of aldermen acting first, elect by a ballot a city clerk and assistant city clerk, each of whom shall be sworn to the faithful discharge of his duties and shall hold his office for one year from the first day of March of that year, and until another shall be chosen and qualified, but may be removed, however, at the pleasure of the city council. The city clerk shall be *ex officio* clerk of the board of aldermen. He shall keep a journal of the votes and proceedings of the aldermen, and also of the city council when sitting in convention, and shall perform such other duties as the aldermen and the city council

may prescribe. He shall also perform all the duties and exercise all the powers usually pertaining to said office. He shall deliver up to his successor in office, as soon as chosen and qualified, all journals, records, record books, papers, documents or other things kept or held by him in his capacity of city clerk. The city council shall also annually in the month of April, by concurrent vote, the board of aldermen acting first, elect by ballot a city messenger and clerk of committees, each of whom shall hold office for one year from the first day of May of that year, and until another is chosen in his place, subject to removal at any time, by the city council.

SECT. 20. The city council shall also annually in the month of February, by concurrent vote, the board of aldermen acting first, elect by ballot a city treasurer, who shall be the collector of taxes, and a city auditor, each of whom shall be sworn to a faithful discharge of his duties, and shall hold his office for one year from the first day of March of that year, and until another shall be chosen and qualified, but may be removed, however, at the pleasure of the city council. The treasurer and auditor shall deliver up to their respective successors in office as soon as chosen and qualified, or to any person designated by the city council, on their ceasing to fill such office, all books, funds, papers or other things kept or held by them as such officers. The city council shall also annually in the month of April, by concurrent vote, the board of aldermen acting first, elect a solicitor for the city of Cambridge, who shall be a resident citizen of Cambridge and an attorney and counsellor of the courts of the Commonwealth, and who shall hold office for one year, but may be removed, however, at the pleasure of the city council.

SECT. 21. The city council shall annually in the month of March elect one person to be a member of the board of overseers of the poor, for the term of five years beginning with the first Monday in May of that year.

SECT. 22. The city treasurer of the city of Cambridge may, as collector of taxes, appoint such deputy collectors of taxes as he may from time to time deem expedient, who shall give bonds with sufficient sureties for the faithful discharge of their duties, in such sums as the board of aldermen of said city shall from time to time prescribe, and such deputies shall have the same powers as collector of taxes of towns. He shall as such collector have all special powers conferred on a treasurer appointed collector by vote of a city council.

SECT. 23. All fees, charges and commissions of every kind and description allowed by law for the collection of taxes, betterments, rates and assessments of every kind, to any person or

persons authorized to collect the same, upon any warrant or other command hereafter directed to the treasurer and collector of the City of Cambridge, in his capacity as treasurer or as collector, or as both treasurer and collector, shall be collected and paid into the treasury of said city and shall be the property of said city. The city may pay to such persons such compensation for services as the city council shall from time to time determine.

SECT. 24. The city council shall, in joint convention, fill for the remainder of the municipal year all vacancies which shall at any time arise in the board of assessors.

SECT. 25. Neither the city council nor either branch thereof, nor any member or committee thereof, or of either branch thereof, nor the board of aldermen acting in any capacity in which said board may act separately under special powers conferred upon it, nor any member or committee of said board acting in any such capacity, shall directly or indirectly take part in the employment of labor, nor, except as otherwise provided in this act, in the appointment or removal of any officers or subordinates for whose appointment and removal provision is herein made. No person shall be eligible for election or appointment to any municipal office by the mayor or city council, or either branch thereof, the salary of which office is payable from the city treasury, during the term for which such person was chosen as member of the city council.

SECT. 26. The board of aldermen shall be the final judge of the election and qualification of its members and of the members of the school committee. The board of aldermen shall choose one of its members as president, who shall preside at the meetings of the board and at joint conventions of the two branches of the city council. He may at any time call a special meeting of the board of aldermen by causing a notice to be left at the usual dwelling place of each member. The mayor shall not be a member of, nor preside at any of the meetings, nor appoint any of the committees of the board of aldermen.

SECT. 27. The board of aldermen may authorize the construction of sidewalks or the completion of any partially constructed sidewalk in said city. Such sidewalks may be with or without edgestones, and covered with brick, flat stones or concrete; and the expense of such edgestones and covering materials shall be assessed upon the abutting lands in just proportions, and shall constitute a lien thereon and be collected in the same manner as taxes on real estate. Such sidewalks when constructed and covered with brick, flat stones or concrete, as aforesaid, shall afterwards be maintained at the expense of the city.

SECT. 28. The board of aldermen shall from time to time fix

the number and compensation of the members of the police force, and establish general regulations for its government. They shall have power to grant licenses to innholders, victuallers and retailers, and to grant other licenses for which provision is or shall be made by general law or ordinance, and may at any time revoke any license granted by them. They shall do all acts and perform all the duties which the selectmen of towns or the boards of aldermen of cities are by law required to do and perform, unless otherwise provided by general law or in this act.

SECT. 29. The common council shall choose one of its members as president, who shall preside at its meetings, and shall choose a clerk, who shall be sworn to the faithful discharge of the duties of his office and shall hold office during the pleasure of the council. The clerk so chosen and qualified shall attend the common council when in session and keep a journal of its acts, votes and proceedings, and perform such other service in such office as the council may require. The common council shall be the final judge of the election and qualification of its members.

SECT. 30. The city council, the board of aldermen, and the common council may respectively fill for the unexpired term any vacancy arising by reason of the death, resignation or removal of any officer elected by them.

SECT. 31. The school committee and overseers of the poor shall respectively perform all such duties as the school committee and overseers of the poor in towns are required by law to perform. The school committee shall annually elect a superintendent of schools and the teachers of the public schools, any of whom shall be removable by vote of the committee. The mayor shall appoint the janitors of school-houses, subject to confirmation by the school committee, and may remove them at pleasure for cause assigned; and such janitors shall perform their duties under the direction of the school committee. The overseers of the poor shall annually on the first Monday of May meet and organize and shall choose such subordinate officers and agents as they may deem expedient, and define their duties and fix their salaries; but no members of the board shall be eligible to be chosen by said board to any position of emolument.

SECT. 32. The city council, the board of aldermen, the common council, and the school committee, may severally employ such clerks and attendants as they may deem proper for the suitable conduct of their business, and may remove the same at pleasure.

SECT. 33. Every officer of the city shall, unless sooner removed, continue after the expiration of his term of service to hold his office until his successor is appointed or elected and duly qualified.

SECT. 34. All heads of departments and boards of the city, except the chief of police and the chief engineer of the fire department, shall appoint their respective subordinates, for such term of service, respectively, as are or may be fixed by law or ordinance, which appointments shall be forthwith certified by them to the mayor; the said officers and boards may remove such subordinates for such cause as they shall assign in writing in the order for removal, which order shall be forthwith communicated to the mayor.

SECT. 35. The several executive boards of the city and officers at the head of departments shall in their respective departments make and execute all necessary contracts for the employment of labor, the supply of materials, and the construction, alteration and repair of all public works and buildings, and have the entire care, custody and management of all public works, institutions and buildings, and other property, and the direction and control of all the executive and administrative business of said city. All executive boards and officers shall be at all times accountable for the proper discharge of their duties to the mayor as the chief executive officer. They and all subordinate officers shall at all times furnish such information as to matters under their control as the mayor or the city council may request. Every contract made in behalf of the city, in which the amount involved exceeds three hundred dollars, shall require the approval of the mayor before going into effect. No expenditures shall be made and no liability shall be incurred or be binding upon the city for any purpose beyond the appropriation previously made therefor. This section shall in no wise be construed as limiting or restricting the powers given to the school committee by the Public Statutes or any amendments thereto.

SECT. 36. The heads of departments and all other officers and boards having authority to expend money shall annually before the twentieth day of January, furnish an estimate to the mayor of the money required for their respective departments and offices for one year beginning with the first day of December preceding, and the mayor shall examine such estimates and submit the same with his recommendations thereon to the city council on or before the first day of February. The city council shall thereupon make the appropriation for the financial year beginning with the first day of December preceding.

SECT. 37. All ordinances of the city of Cambridge, or portions thereof, inconsistent with the provisions of this act are annulled, but such portions as are not inconsistent herewith are continued in force until amended or repealed by the city council.

SECT. 38. Nothing contained herein shall affect the provisions

of chapter one hundred and eight of the acts of the year eighteen hundred and eighty-six, of chapter seventy of the acts of the year eighteen hundred and eighty-eight, of chapter four hundred and thirty-nine of the acts of the year eighteen hundred and eighty-nine, or the enforcement of the provisions of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four or of acts in amendment thereof, or of the rules made by the commissioners appointed thereunder, and none of the provisions of this act, except those relating to the power of removal, shall affect the tenure of office of any person now holding any office or position in the city, or the present powers of the board of health therein. Except as herein provided, the Cambridge water board and the commissioners of the Cambridge cemetery shall continue to have and exercise all powers, and be subject to all duties now conferred or imposed upon them by law or ordinance until the same shall be modified or repealed.

SECT. 39. Chapter one hundred and thirty-nine of the acts of the year eighteen hundred and thirty-two, chapter eighty-seven of the acts of the year eighteen hundred and thirty-five, chapter one hundred and nine of the acts of the year eighteen hundred and forty-six, chapter ninety-nine of the acts of the year eighteen hundred and fifty-one, chapter one hundred and fifty-five of the acts of the year eighteen hundred and fifty-three, the provisions of section one of chapter forty-four of the acts of the year eighteen hundred and fifty-five relating to method of appointment and removal of cemetery commissioners, and of section three of said chapter relating to execution of deeds by the city clerk, chapter one hundred and twelve of the acts of the year eighteen hundred and fifty-six, chapter seventy-five of the acts of the year eighteen hundred and fifty-seven, chapter one hundred and thirty-seven of the acts of the year eighteen hundred and fifty-nine, chapter one hundred and ninety-one of the acts of the year eighteen hundred and sixty-three, chapter sixty-eight of the acts of the year eighteen hundred and sixty-seven, chapter three hundred and thirty-six of the acts of the year eighteen hundred and sixty-nine, chapter two hundred and twenty-nine of the acts of the year eighteen hundred and seventy, chapters three hundred and thirty-seven and three hundred and forty-five of the acts of the year eighteen hundred and seventy-three, chapter forty-one of the acts of the year eighteen hundred and seventy-seven, chapter one hundred and two of the acts of the year eighteen hundred and seventy-eight, chapter one hundred and ninety of the acts of the year eighteen hundred and seventy-nine, chapters one hundred and three, one hundred and ninety-three, and two hundred and thirteen of the acts of the year eighteen hundred

and eighty-six, and chapter two hundred and sixty of the acts of the year eighteen hundred and ninety are hereby repealed; but such repeal shall not revive any act heretofore repealed, nor shall the repeal of said acts or the annulling of ordinances inconsistent herewith affect any act done, liability incurred, or any right accrued or established, or any suit or prosecution, civil or criminal, to enforce any right or penalty or punish any offence under the authority of said acts or ordinances.

SECT. 40. This act shall be submitted to the qualified voters of the city of Cambridge for acceptance at the next annual municipal election held therein, and the affirmative votes of a majority of the voters present and voting thereon shall be required for its acceptance.

SECT. 41. So much of this act as authorizes the submission of the question of its acceptance to the voters of said city shall take effect upon its passage, but it shall not further take effect unless accepted by the voters of said city as herein provided.

REVISED ORDINANCES

1892.

CITY OF CAMBRIDGE

IN THE YEAR EIGHTEEN HUNDRED AND NINETY-TWO

Be it ordained by the City Council of the city of Cambridge, as follows:—

CHAPTER 1.

GENERAL PROVISIONS.

SECTION 1. All by-laws of the city shall be termed ordinances; and the enacting style shall be, "Be it ordained by the city council of the city of Cambridge, as follows."

Ordinances.
Enacting style
of.
P. S. c. 3, § 3,
cl. 15.
P. S. c. 27, § 15.
P. S. c. 28, § 6.

SECT. 2. All ordinances hereafter passed shall be recorded in the order of passage by the city clerk, in a book kept for that purpose, with proper margins and index, to be lettered, "Record of Ordinances of the City of Cambridge;" which book shall be kept in the office of the city clerk, subject to the inspection of the citizens.

Ordinances to
be recorded.

SECT. 3. All ordinances hereafter passed shall be published by the city clerk by inserting the same once in some newspaper published in the city, and shall be printed with the City Documents of the year next subsequent to the date of their adoption; but this section and section two of this chapter are directory only, and a failure to comply with the same shall not affect the validity of any ordinance.

Printing and
publication of
ordinances.
P. S. c. 27, § 23.

SECT. 4. This ordinance shall be known as the "Revised Ordinances of 1892," and, so far as its provisions are the same in effect as those of previously existing ordinances, it shall be construed as a continuation of those ordinances; but, subject to the said limitation and to the provisions of the next session, all ordinances of the city heretofore in force are hereby repealed;

To be known
as "Revised
Ordinances of
1892."

Not to affect ordinances accepting statutes.

but this repeal shall not apply to or affect any ordinance heretofore adopted accepting or adopting the provisions of any statute of the commonwealth.

Not to affect certain rights, penalties, etc.

SECT. 5. This ordinance shall not affect any act done, any right accrued, any penalty incurred, any suit, prosecution, or proceeding pending, or the tenure of office of any person holding office, at the time when it takes effect, nor shall the repeal of any ordinance have the effect of reviving an ordinance theretofore repealed or superseded, or the effect of preventing any punishment or penalty incurred before the repeal took effect, or of interfering with any suit, prosecution or proceeding pending at the time of the repeal, for an offence committed under the ordinance repealed.

Not to affect certain proceedings, tenure of office, etc.

SECT. 6. When in an ordinance anything is prohibited from being done without the license or permission of a certain officer, officers or board, such officer, officers or board, shall have the power to license or permit such thing to be done.

Power to license.

SECT. 7. When anything is prohibited in an ordinance, not only the persons actually doing the prohibited thing, but also the employers and all other persons concerned therein shall be liable to the penalty prescribed.

Employers and other persons liable to penalty.

SECT. 8. The words "street" and "streets," when used in an ordinance, shall be construed as including public ways, alleys, lanes, courts, public squares, public places and side-walks, unless such construction would be inconsistent with the manifest intent of the ordinance.

Construction of the words "street" and "streets."

SECT. 9. The words "public grounds" shall include the common and all public lands placed by the city council under the charge of the Park Commissioners or the Water Board, and those parts of public places which do not form travelled parts of highways.

Construction of the words "public grounds."

SECT. 10. The word "owner" applied to a building or land, shall include any part owner, joint owner, tenant in common, or joint tenant, of the whole or of a part of such building or land.

Construction of the word "owner."

SECT. 11. The word "tenant" or "occupant," applied to a building or land shall include any person who occupies the whole or a part of such building or land either alone or with others.

Construction of the word "tenant" or "occupant."

SECT. 12. The word "person" shall include corporations.

The word "person."

SECT. 13. Words purporting to give a joint authority to three or more officers or other persons shall be construed as giving such authority to a majority of such officers or persons.

Words giving joint authority.

SECT. 14. All fines and penalties for the violation of any ordinance, or any order of the board of alderman, shall, when recovered, inure to the use of the city, and be paid into the city treasury, unless it be otherwise directed by the laws of the commonwealth, or the ordinances of the city.

Fines and penalties shall inure to use of city.

P. S. c. 27, §§ 19, 130.

P. S. c. 28, § 26.

SECT. 15. Whoever violates a provision of any ordinance of the city, whether included in these Revised Ordinances or those which may be hereafter enacted, shall, unless other provision is expressly made, be liable to a penalty of not less than one nor more than twenty dollars for each offence.

General penalty for breaches of ordinances. P. S. c. 27, §§ 15, 16.

SECT. 16. The following departments are hereby created, namely :

Creation of the several departments of the city. 1891, c. 364, § 8, new charter.

- Assessors department.
- Auditing department.
- Bridge department.
- Cemetery department.
- City clerk department.
- City messenger department.
- Clerk of committees department.
- Engineering department.
- Fire department.
- Health department.
- Inspection and construction of buildings department.
- Inspection and supervision of electric wires department.
- Inspection of milk and vinegar department.

¹ Inspection of provisions and animals intended for slaughter or kept for the production of milk.

- Lamp department.
- Law department.
- Overseers of the poor department.
- ² Park department.
- Police department.
- Public library department.
- Sealer of weights and measures department.
- Sewer department.
- Sinking fund department.
- Street department.
- Treasury department.
- Water works department.

Each of the several departments shall be under the charge and management of the officers or boards designated in the respective chapters relating thereto, all to be under the general supervision and control of the mayor.

Departments to be under charge of, etc., mayor to have general supervision. 1891, c. 364, § 8.

¹ Amended May 10, 1893.

² Amended July 11, 1893.

CHAPTER 2.

THE EXECUTIVE.

Mayor to enforce the laws and ordinances, etc. 1891, c. 364, §§ 8, 35.

SECTION 1. The mayor shall at all times cause the laws of the Commonwealth and the ordinances, orders and regulations of the city to be executed and enforced by the proper officers; shall exercise general supervision and control over the official acts and conduct of all officers, and shall take proper action to cause every violation and neglect of duty on their part to be punished. He may, at any time, summon the heads of departments and subordinate officers before him for information, consultation and advice upon the affairs of the city.

Mayor summon heads of departments. 1891, c. 364, § 8.

Mayor call special meetings of the city council.

SECT. 2. He may call special meetings of the board of aldermen and of the common council, or either, whenever in his opinion the interests of the city so require, by causing a written notice to be left at the usual dwelling-place of each member of the board or boards to be convened.

Shall give information to city council, etc. 1891, c. 364, § 8.

SECT. 3. He shall, from time to time, communicate to said boards, respectively, such information concerning the affairs of the city, together with his suggestions and recommendations relating thereto, as the interests of the city shall in his judgment require.

Shall make appointments to fill vacancies, temporary and otherwise. 1891, c. 364, § 9.

SECT. 4. Whenever a vacancy shall occur in an office filled by the appointment of the mayor with the confirmation of the board of aldermen, the mayor shall appoint some person, subject to such confirmation, to hold the office for the remainder of the unexpired term and until his successor is appointed and confirmed, and whenever any person holding such office shall be temporarily disabled from discharging the duties of his office the mayor shall designate some other officer or person to perform the duties of such office during the period of such disability.

Shall approve all bonds of city officers.

SECT. 5. The bond of every city officer of whom a bond is required, and the sureties offered upon the same, shall be approved by the mayor before the officer enters upon the performance of his duties.

All deeds, etc., given by the city to be signed, etc., by the mayor. 1891, c. 364, § 12.

SECT. 6. All deeds, conveyances, leases and other instruments, which shall be given by the city, and which must be signed, sealed and acknowledged, shall be signed and acknowledged and delivered on behalf of the city, by the mayor, who shall affix thereto the city seal. But this provision shall not be construed to prevent any officer from executing any conveyance, lease, contract or other instrument in performing the duties devolving upon him.

Other officers may sign certain instruments.

SECT. 7. Whenever the amount due and payable on any mortgage belonging to the city is paid to the treasurer, he shall certify the same to the mayor, who shall thereupon discharge the mortgage; or he may assign the same, without liability of or recourse to the city, and for that purpose shall execute and deliver all necessary papers.

Mayor shall discharge and assign mortgages.

SECT. 8. When a person entitled to redeem an estate sold for nonpayment of taxes or assessments and purchased by the city, makes application for such redemption, the mayor may, on the payment to the treasurer of the amount due to the city on such estate, execute in behalf of the city any and all legal instruments that may be necessary to transfer the city's title to such estate.

Mayor may release tax titles.

SECT. 9. The mayor shall approve all drafts drawn by the city auditor upon the city treasurer; and with the treasurer and auditor shall sign all bonds, notes and certificates of indebtedness issued for loans to the city authorized by the city council.

Shall approve auditor's drafts.

Shall sign all bonds of the city, etc.

SECT. 10. The mayor shall appoint, subject to confirmation by the board of aldermen, for the terms hereinafter specified and until their respective successors are appointed and confirmed, the following officers, to wit:

Shall appoint certain officers. Appointments shall be confirmed by board of aldermen. 1891, c. 364, § 9.

In January.

(For one year from the first Monday in January.)

- One or more measurers of wood and bark.
- Two or more fence viewers.
- Two or more field drivers.
- One pound-keeper for each pound in the city.
- Three persons as a committee for the preservation of fish.
- A superintendent of public buildings.
- A keeper of lock-ups.
- A person to receive information of damage done by dogs.
- Two or more policemen without pay.
- Two or more constables.
- Two or more inspectors of junk shops, pawn-brokers' shops and second hand clothing stores and dealers.
- One or more weighers of hay.
- One or more weighers of coal.
- One or more public weighers.
- One or more weighers of boilers and heavy machinery.
- One or more persons to seize illegal charcoal baskets, measures and vessels.
- An inspector of milk and vinegar.
- One or more measurers of grain.
- One or more measurers and surveyors.
- One or more surveyors of mechanics' work.

What officers are to be appointed by the mayor in January.

Officers
appointed by
the Mayor in
January.

One or more auctioneers.

Two or more undertakers.

² One member of the school committee as a trustee of the public library.

(For ¹ three years from the first Monday in February.)

A member of the board of health.

(For three years from the first Monday in February.)

Two cemetery commissioners.

(For three years from the third Monday in January.)

Two trustees of the public library.

In February.

In February.

(For one year from the first day in March.)

Five assistant assessors, one from each ward.

In March.

In March.

(For one year from the first Monday in May.)

A bridge commissioner.

In March or
April.

In March or April.

(For one year from the first day of April.)

A sealer of weights and measures.

(For four years from the first day of May.)

A registrar of voters.

In April.

In April.

(For one year from the first day of May.)

A superintendent of streets.

A superintendent of lamps.

A city engineer.

One or more inspectors of provisions and of animals intended for slaughter, or kept for the production of milk.

(For three years from the first Wednesday in May.)

Two commissioners on the sinking funds of the city.

In June.

In June.

(For five years from the thirtieth day of June.)

One member of the water board.

(In January of every third year, beginning with the year 1892, for three years from the first Monday in February.)

A city physician.

¹ Amended April 1, 1896.

² Amended Dec. 22, 1892.

SECT. 11. The mayor shall also appoint, subject to confirmation as aforesaid :

Mayor shall appoint a harbor-master, P. S. c. 69, § 25, and an inspector of wires. 1880, c. 404.

A harbor master who shall hold office until the appointment of his successor, and an inspector of wires who shall hold office until removed.

SECT. 12. In all removals of officers of the city by the mayor, he shall assign the cause of removal in writing, and shall fully state such cause in the records of his office.

Shall record causes of removal of officers.

SECT. 13. He shall appoint one or two police matrons for each police station which he shall designate as a station for the detention and confinement of all women under arrest.

Shall appoint police matrons. 1887, c. 234.

SECT. 14. He shall designate some suitable person or persons, other than the overseers of the poor or persons employed by them, to cause to be properly interred the bodies of honorably discharged soldiers and sailors who may die in the city without leaving sufficient means to defray funeral expenses, as provided by Chapter three hundred and ninety-five of the acts of the year eighteen hundred and eighty-nine.

Shall designate person to inter deceased soldiers, without means. 1889, c. 395.

SECT. 15. He shall also appoint, subject to the confirmation of the board of aldermen as aforesaid, proper persons to fill vacancies in the police and fire departments of the city.

Shall appoint to vacancies in police and fire departments. 1891, c. 364, § 9.

SECT. 16. Whenever the mayor shall be notified by the city engineer that any building or structure has been placed within the lines of a public street, or so that it may cause injury or inconvenience to a public street, he shall forthwith issue an order to the party offending, directing that the said building or structure be removed within a certain specified time, and in case of non-compliance the mayor shall direct that the incumbrance be removed at the expense of the delinquent.

When building within the lines of a street, the mayor shall attend to its removal.

ORDINANCES

CONSTITUTING AND REGULATING THE SEVERAL

DEPARTMENTS

OF THE CITY.

CHAPTER 3.

ASSESSORS.

SECTION 1. The assessors' department shall be under the charge of the board of assessors, who shall have and exercise all the powers, and be subject to all the duties and limitations of assessors of taxes, and shall devote their entire time to the duties of the office.

Assessors
department in
charge of the
board of
assessors.

Vacancies which shall at any time arise in the board of assessors shall be filled for the remainder of the municipal year by the city council in joint convention.

Vacancies.

SECT. 2. The assessors shall keep a full and complete record of the name of each male person of twenty years of age and upwards, and the names of all women twenty years of age and upwards, who shall request in writing over their own signatures to be assessed for a poll tax, having a residence in the city of Cambridge, together with the residence of each of such persons on the first day of May of the present year and of the preceding year; they shall also keep a record of all abatements, in a book provided for that purpose, which record shall contain the names of the persons whose taxes are abated, the amount of their taxes as originally assessed, the amount abated and the reasons for each abatement.

Duties.

Record of
abatements of
taxes.

SECT. 3. They shall make out and deliver to the city collector, on or before the first day of September in each year, lists of all taxes assessed, together with a warrant for the collection of the sums named therein; and on or before the first day of every ensuing month they shall deliver lists of all additional or supplementary assessments made during the preceding month, together with warrants for their collection.

Warrant to
the collector,
for collection
of taxes.
P. S. c. 11, § 62.

SECT. 4. The assessors shall render to the city auditor at the time when they send any tax list to the city collector, a statement of the amount of such tax list, so far as the amounts thereof have not been included in any statement previously made to him; such statement shall also include the amount of taxes which have been abated during each month, giving the year in which the taxes abated were laid.

Statement to
auditor of the
amount of the
tax list.
P. S. c. 11, § 76.

SECT. 5. The assessors shall forthwith forward to the city collector all certificates of abatements allowed by them.

P. S. c. 11, § 69.

Apportionment of sewer and sidewalk assessments.
P. S. c. 50, § 25.

SECT. 6. Whenever the board of aldermen shall apportion a sewer or sidewalk assessment, and certify such apportionment to the assessors, the assessors shall for each of the three years next ensuing add one of the parts of said apportionment, with interest from the date of the same, to the annual tax of the real estate of the person to whom such assessment is assessed.

CHAPTER 4.

AUDITING.

SECTION 1. The city auditor shall have charge of the auditing department of the city. He shall hold his office for the term of one year, from the first day of March in the year of his election and until his successor is elected and qualified. He shall receive such salary as the city council shall from time to time determine. Whenever said office shall be vacant, the city council shall fill the vacancy in the same manner as provided for the annual election.

Auditing department in charge of city auditor.

Term of office.

Vacancy.

SECT. 2. He shall give a bond in such a form as the city solicitor shall approve, with sufficient sureties, to be approved by the mayor, in a sum not less than ten thousand dollars, which bond shall be executed, approved and delivered before he enters upon the duties of his office, and within ten days after his election. Should he fail to give such bond within the time herein required, the election shall be void, and a new election shall be had forthwith. In case of the death or insolvency of any of the sureties on a bond so given, the auditor shall immediately notify the mayor and give a new bond, with sufficient sureties, as hereinbefore provided; and if he fails to give such new bond within a reasonable time after notice to do so, it shall be sufficient cause for his removal from office. His bond shall be placed in the custody of the city treasurer, but the bonds of all other officers of the city, when not otherwise provided by law, and all bonds given to the city to secure contracts, shall be kept in the custody of the auditor, who shall keep a register of the dates, amounts and sureties on all such bonds, and notify the mayor whenever any such bond expires, or he is of opinion that its security is in any manner impaired.

Shall give bond.

His election to be void on failure to give bond in ten days. When new bond to be given.

Custody of his bond.

Custody of all bonds of city officers.

SECT. 3. Before money is paid out of the city treasury, a requisition therefor in writing, with detailed accounts attached, specifying the amount to be paid, and the party or parties to whom the payment is due, shall be made by the board or head of department incurring the expenditure, upon the auditor. The auditor shall receive all such requisitions, accounts and claims rendered against the city, which have been approved and certified as provided in section twelve of this chapter, and carefully examine the same; shall see that they are correctly cast and approved, neatly folded, filed, labeled and recorded. In case of any error or infor-

Requisition to be made in writing for all moneys drawn from city treasury.

Auditor's duties.

Auditor's
duties.

mality, he shall make note of the fact, and return the bill or demand with the objections, to the officer or board presenting the same, and when the auditor has any doubt concerning the propriety or correctness of such bill or account, if it be not satisfactorily explained, he shall refer the same at once to the mayor for consideration and final decision. He shall keep a book in manner and form acceptable to the committee on accounts, wherein he shall record the date and amount of every account and claim against the city presented as aforesaid, and as finally corrected and allowed, and also the name of the person to whom the same shall be allowed, designating the fund or appropriation from which the same shall be paid. When the regular monthly bills due from the city for services rendered or supplies furnished shall have been recorded by the auditor, and examined by the committee on accounts, the draft or order upon the treasurer for the payment of the aggregate amount of the bills aforesaid shall be signed by the mayor, and countersigned by the auditor. The auditor shall give his certificates for all bills approved as aforesaid to the treasurer, which certificate shall specify the number of the bill as it appears on the auditor's book, the account or appropriation to which the bill is chargeable, the name of the person or persons authorized to receive the amount due, together with the amount duly approved and payable to said person. Said certificate shall be signed by the auditor, and upon presentation shall be paid by the treasurer. The form of such certificate shall be as follows:—

CITY OF CAMBRIDGE.

OFFICE OF THE CITY AUDITOR.

Form of the
auditor's cer-
tificate to the
treasurer.

TO THE CITY TREASURER:— I hereby certify that _____ is entitled to receive from the city of Cambridge, _____ dollars for approved bill, No. _____, on Mayor's draft, No. _____.

You will charge the above amount to

City Auditor.

The auditor shall receive from the treasurer and carefully hold all bonds, notes, scrip and other certificates of indebtedness together with coupons issued by the city, and executions against the same after they have been paid, and shall keep a registry thereof. Immediately upon receiving any bond, note, scrip, coupon, execution or other certificate of indebtedness from the treasurer, the auditor shall deliver to him a check or other order for the payment of the same.

Committee on
accounts.

SECT. 4. There shall be appointed in the month of January annually, a joint standing committee on accounts, to consist of two members of the board of aldermen, and three members of the

common council; which committee shall meet on or before the eighth day of each month, and carefully examine all accounts and claims against the city which shall be laid before them by the auditor, and compare them with his record.

Duty of the committee on accounts.

The committee on accounts shall direct the auditor, the treasurer and collector, and other officers of the city, and heads of departments, as to the manner in which the books, records, accounts and papers belonging to their several departments shall be kept, and at the end of each financial year said committee shall make a report to the city council of the condition of all said accounts and the manner in which they have been kept during the year just closed.

Annual report of the committee on accounts

SECT. 5. The mayor is hereby authorized to draw orders on the treasurer for the payment of all accounts and claims approved and certified as provided in the preceding sections and no other; *provided, however*, he may draw his order to pay any sum not exceeding three-fourths of the amount then due, by way of advance on contracts made, or on work begun and not completed, upon being satisfied of the necessity therefor by a certificate signed by the board or head of department controlling the expenditure, within the sum especially appropriated therefor by the city council, or draw his order for any sum upon the express order of the city council; and *provided* further that he shall draw his order for the weekly payment of the wages of such employees as are entitled by law to be paid weekly; the amounts of such wages to be entered upon pay-rolls which shall be certified to as correct by the heads of the respective departments, except where a department is under the charge of an executive board, in which case they shall be so certified by some officer designated by said board; all such amounts to be within the appropriation to which the same shall be chargeable; and *provided* further that he shall draw his order for the payment of the salaries of the teachers of the public schools, and the sums due for state and military aid; the amounts of such salaries to be entered upon pay-rolls which shall be certified to be correct by the school committee, and the amounts of such sums for state and military aid to be entered upon pay-rolls, which shall be certified to be correct by the committee on soldiers' aid, and approved by the board of aldermen; such amounts to be within the appropriation to which the same shall be chargeable.

Drafts upon the treasurer.

Drafts on account of contracts.

Drafts for weekly payments of employes.

Drafts for school teachers' salaries.

And *provided* further, that he may from time to time, draw his orders upon the treasurer for the payment of such sums as he may deem necessary, to be paid out of any appropriation which may be made and set apart by the city council as a fund to meet emergencies, but never to exceed the amount of such appropriation.

Drafts from emergency fund.

Treasurer may pay judgments, bonds, notes, etc.

SECT. 6. No money shall be paid out of the city treasury except upon the written order of the mayor, addressed to the treasurer, countersigned by the auditor; *provided, however*, that the treasurer may pay, before such order is drawn, any sum of money due on the principal or interest of any note, bond or other security of the city, or on any judgment against the city, and also refunds certified by the water registrar.

Auditor to require persons to be identified.

SECT. 7. The auditor shall require complete identification of all persons seeking to receive settlement of bills and claims due from the city, and he shall give his certificate to no person other than the one named in the bill, or order transmitted to him, or his duly authorized agent or attorney.

Method of keeping his accounts.

SECT. 8. The auditor shall keep his accounts in such form and in such detail as may be necessary to a clear exhibit of all expenditures and receipts. He shall credit each city account with its appropriation for the financial year, and with all revenue received on account of the same, and charge against the same the expenditures as they shall, from time to time be allowed. Whenever an appropriation for any account is expended he shall immediately give notice thereof to the mayor and the city council, and he shall not pass or allow any claim or account chargeable against such appropriation, until the city council provides the means of paying the same. The auditor shall once in each month prepare a statement, and furnish the mayor and each member of the city council a printed copy thereof, showing the condition of each city account, giving amount of appropriations and receipts, expenditures, and unexpended balances under the same.

Shall notify the mayor when an appropriation is expended.

Shall furnish monthly statements to the mayor and the city council.

SECT. 9. The auditor shall countersign all the bonds, notes and certificates of indebtedness issued for loans to the city, authorized by the city council, and also all orders drawn by the mayor on the treasurer, as provided in section five of this chapter. He shall report to the city council during the month of December in each year, the expenditures and receipts during the preceding financial year, giving in detail the amount of appropriations and expenditures, and the receipts from each source of income; and the whole shall be arranged, as far as practicable, so as to conform to the accounts of the treasurer. He shall include in said report a statement of the funded and temporary loans, and the rate of interest thereon, and shall exhibit all the liabilities and assets as shown on the books in his office at the close of the financial year.

Shall make an annual report to the city council.

Financial year to begin on December first.

The financial year shall begin on the first day of December, and the auditor shall make up his accounts to include the last day of November annually.

SECT. 10. Whenever any order is drawn upon the city treas-

urer by the mayor, the auditor shall charge it under the appropriate head of expenditure, and report the same and the amount thereof to the committee on accounts at its next meeting.

Auditor shall report orders to committee on accounts.

SECT. 11. The pay-rolls of city employees shall be made up each Saturday for the whole week, including that day, and the pay-days at the city hall for such employees shall be every Thursday, except in case such day occurs upon a legal holiday, when the next preceding day shall be the pay-day. Other pay-rolls shall be made up to include the last day of each month; and the pay-day for the same and for bills shall be on the tenth of each month, or the day following if such occurs on Sunday or a legal holiday; and all executive boards shall hold regular meetings within the last seven days of each month for the examination and approval of bills, including pay-rolls certified as provided in section five of this chapter.

Pay-rolls of employees.

Other pay-rolls.

Meetings of executive boards.

SECT. 12. Executive boards and heads of departments shall approve all accounts and claims in their respective departments, shall keep a record of all contracts and obligations entered into by them, the dates of the same, with the names of the parties and the amounts of such contracts and obligations, when the same are known, and also of the names of the persons whose bills are approved, and of the dates and amounts of said bills. Heads of departments and a majority of each of said boards, except the school committee, shall certify, by their signatures upon such bills, their approval of the same, present them to the appropriate committee of the city council for inspection, and pass them to the auditor on or before the morning of the first day of each month. All bills approved by the school committee shall be certified by the secretary, and at least three members of that board. No bill shall be approved by any board ¹except the school committee, except at a meeting of which all the members have been notified, and at which there is a majority present.

Executive boards and heads of departments to approve accounts.

Shall certify their approval.

Approval of bills by the school committee.

When any committee of the city council has any doubt concerning the propriety or correctness of a bill presented to it for inspection, it shall, if the same be not satisfactorily explained, indorse its disapproval thereon, and report the fact of such disapproval, with the reasons therefor, to the city council at the next meeting.

SECT. 13. The auditor may, with the approval of the mayor, in a writing deposited with the treasurer, designate a subordinate of his department who shall for such time, not exceeding thirty days from the date thereof, as shall be set forth in the designation, perform all the duties of the auditor, who shall be responsible for all acts performed by such subordinate while performing such duties.

Sub-auditor.

¹ Amended April 20, 1899.

CHAPTER 5.

BRIDGE.

Bridge department in charge of the commissioner of bridges.

Term of office.

Removal.

Vacancy.

Powers and duties.

Shall make annual report to the city council.

SECTION 1. The bridge department shall be under the charge of the commissioner of bridges, who shall have the care and management on the part of this city of the West Boston, Craigie's, Harvard and Prison Point bridges. He shall hold office for the term of one year from the first Monday in May in the year of his appointment and until his successor is appointed. He may be removed by the mayor, after due hearing, with the approval of a majority of the board of aldermen. A vacancy may be filled for the unexpired term at any time in the same manner as provided for the original appointment.

SECT. 2. He shall have and exercise all the powers in relation to the care and management of the bridges, conferred by the three hundredth and three hundred and second chapters of the acts of the year eighteen hundred and seventy, and chapter one hundred and fifty-five of the acts of the year eighteen hundred and eighty-two, and of any and all other bridges which may at any time be placed in his charge by the city council.

SECT. 3. He shall annually, in December, report to the city council a particular account of all expenditures, the property on hand, the number of times the draws have been opened, and other matters of general interest in relation to said bridges, for the previous year, with an estimate of the amount required of the city for the care and maintenance of said bridges for the year ensuing.

CHAPTER 6.

CEMETERY.

SECTION 1. The cemetery department shall be under the charge of a board of six commissioners to be styled cemetery commissioners, two of whom shall be appointed in the month of January of each year, by the mayor, subject to confirmation by the board of aldermen, to hold their office for the term of three years from the first Monday of the February following their appointment. A vacancy in said board may be filled for the unexpired term at any time in the same manner as provided for the original appointment.

Cemetery department in charge of the cemetery commissioners.
1855 c. 44.
1865 c. 225.
1891 c. 364, § 38.
Term of office.
Vacancies.

SECT. 2. Said board shall have the care, superintendence, and management of the Cambridge cemetery, so called, and also of the burial ground on Garden street.

Duties.

SECT. 3. Said board of commissioners shall have authority to sell rights of burial in the Cambridge cemetery, but all deeds and conveyances shall be executed by the mayor in the name of the city, and recorded by the city clerk in a book kept for that purpose.

Authority.
Deeds of lots to be made by the mayor.

SECT. 4. The commissioners shall annually, in the month of December, make and render to the city council a report of all their acts, doings and proceedings, and of the condition of the said cemetery and burial ground, and an account of their receipts and expenditures for the year ending November thirtieth.

Annual report.

SECT. 5. Whenever the board of commissioners of the Cambridge cemetery, or any person or persons authorized by that board, shall certify in writing to the treasurer that a certain sum of money, not less than fifty nor more than five hundred dollars, is sufficient to warrant the board in assuming the preservation and care of any lot or grave in the Cambridge cemetery, the treasurer shall receive such amount, if offered by the person or persons owning such lot or grave, and pay the interest thereof to the said board for the preservation and care of the same, as provided by section four of chapter twenty-five of the ordinances of the city.

Perpetual care of lots in the Cambridge cemetery.
P. S. c. 82, § 17.

SECT. 6. All sums of money which the board of commissioners of the Cambridge cemetery shall receive from the city treasurer as interest upon sums which have been paid by owners for the perpetual care of lots and graves in the Cambridge cemetery, shall be faithfully applied by said board in accordance with the notices of the city treasurer designating the particular lots and graves on account of which the several payments have been made.

Money paid for perpetual care of lots, how applied.

Fund for
perpetual care
of lots.

SECT. 7. The fund so created shall be denominated the "cemetery fund for the perpetual care of lots."

Deeds in trust.

¹SECT. 8. Proprietors of lots may, upon forms prescribed by the board of cemetery commissioners, reconvey said lot or lots to the city of Cambridge; and the board of cemetery commissioners may accept the same, for and in behalf of the city of Cambridge, upon certain trusts in said deed of reconveyance to be expressly mentioned. But in no event shall any such deed of reconveyance be accepted as aforesaid, unless and until there shall be deposited with and held by the city treasurer, in accordance with section 4 of chapter 25 of the revised ordinances, a sum sufficient, in the opinion of the board of cemetery commissioners, to provide for the perpetual preservation and care of such lot or lots and their several respective appurtenances, including the care of the grass, resodding, erecting, placing, keeping in repair, and the renewal of any tomb, curb, monument, headstone, and fence now or hereafter to be placed on said lot or lots. Any proprietor, so reconveying any lot or lots as aforesaid to the city, may in said deed reserve to himself and to such as may be beneficiaries thereunder the right of admission and such supervision as to the board of cemetery commissioners may seem proper, and as may not be inconsistent with the rights which have vested in said city of Cambridge.

¹ Amended March 29, 1894.

CHAPTER 7.

CITY CLERK.

SECTION 1. The city clerk department shall be under the charge of the city clerk, who shall hold his office for the term of one year from the first day of March in the year of his election and until his successor is elected and qualified. He shall have the care and custody of the city records and of all documents, maps, plans and papers of the city, respecting the care and custody of which no other provision is made. He shall attend all meetings of the board of aldermen, and all meetings of both branches of the city council, when met in convention, and he shall keep records of the proceedings at all such meetings.

City clerk department in charge of city clerk.
P. S. c. 27, § 78.

Term of office.

Duties.
P. S. c. 28, § 2.
1891, c. 364, § 19.

SECT. 2. The city clerk shall give to the city a bond, with sufficient sureties, in the sum of three thousand dollars, in such form as shall be satisfactory to the city solicitor, and subject to the approval of the mayor, which bond shall be executed, approved and delivered before he enters upon the duties of his office, and within ten days after his election. Should he fail to give such bond within the time herein required, the election shall be void, and a new election shall be had forthwith. In case of the death or insolvency of any of the sureties upon any bond so given, the city clerk shall immediately notify the mayor and give a new bond, with sufficient sureties, as hereinbefore provided; and if he fails to give such new bond within a reasonable time after notice to do so, it shall be sufficient cause for his removal from office.

Shall give a satisfactory bond.

Election to be void if bond not given.

New bond, when to be given.

SECT. 3. The city clerk shall notify the auditor of all orders passed by the city council or board of aldermen, authorizing appropriations, expenditures, assessments, apportionments or abatements, immediately after such orders are approved. He shall also report to him daily all amounts received by him, and paid to the treasurer, on account of licenses or fees of any description. He shall pay over to the treasurer daily all moneys received by him on account of licenses or fees of any description. He shall report to the treasurer all orders for sewer and sidewalk assessments, and all apportionments and abatements thereof, immediately after such orders are approved. ¹Six months before the expiration of the time when an assessment of betterments for any street improvement must be made, he shall notify the city council of the date of said expiration.

Shall give notice to the auditor of money orders, etc.

Shall pay daily to treasurer all moneys received. Shall report sewer and sidewalk abatements.

¹ Amended May 26, 1898.

Assistant city clerk.
1891. c. 364, § 19.

Duties.

SECT. 4. The assistant city clerk shall assist the city clerk in recording, indexing and certifying all documents and papers required by law to be filed in the office of, or recorded by, the city clerk, and shall perform all other duties pertaining to the office of city clerk when thereto requested by the city clerk, or when from any cause the office of city clerk shall be vacant.

Shall give a bond

SECT. 5. The assistant city clerk shall give a bond in such form as the city solicitor shall approve, with sufficient sureties, to be approved by the mayor, in the sum of three thousand dollars, which bond shall be executed, approved and delivered before he enters upon the duties of his office, and within ten days after his election. Should he fail to give such bond within the time herein required, the election shall be void, and a new election shall be had forthwith. In case of the death or insolvency of any of the sureties on any bond so given, he shall immediately notify the mayor and give a new bond, with sufficient sureties, as hereinbefore provided; and if he fails to give such new bond within a reasonable time after notice to do so, it shall be sufficient cause for his removal from office.

Election void if bond not given.

New bond given, when.



CHAPTER 8.

CITY MESSENGER.

SECTION 1. The city messenger department shall be under the charge of the city messenger, who shall hold office for one year from the first day of May, in the year of his election and until another is chosen in his place, subject to removal, at any time, by the city council.

City messenger department in charge of city messenger. 1891 c. 364, § 19.

SECT. 2. The city messenger shall attend to the opening and closing of the rooms in the city hall, and have the care and charge of the same; shall attend all meetings of the board of aldermen and of the common council; shall wait upon all committees and boards when in session at the city hall, and, in general, shall perform all services required by the mayor, by either branch of the city council, or by such committees or boards, and shall receive such compensation as the city council may determine.

Duties.

SECT. 3. The city messenger shall purchase all supplies of stationery required for the use of the city council and departments acting thereunder. He shall keep a detailed account of all such purchases and deliveries from the same, and shall furnish each department only upon a requisition signed by the head of such department, and take a receipt for all articles delivered. He shall make monthly reports to the city auditor of all stationery furnished by him to each of the several departments of the city. He shall have charge of all printed matter, bound volumes and books of reference belonging to the city and not delivered to the departments, and shall distribute the same, or keep them in convenient form for reference, according to such rules as the committee on printing shall adopt. He shall report to the city council annually, in December, giving a general statement of purchases, deliveries and stock on hand, with a catalogue of all additions to the reference library.

Shall purchase stationery, etc.

Monthly reports to auditor.

Annual report to the city council.

CHAPTER 9.

CLERK OF COMMITTEES.

Clerk of committees, department in charge of. 1891, c. 364, § 19.

Duties.

Shall keep books of record, etc.

Assistant clerk of committees, how appointed.

His duties. 1891, c. 364, § 34.

SECTION 1. The clerk of committees department shall be under the charge of the clerk of committees, who shall hold his office for the term of one year from the first day of May in the year of his election and until his successor is elected. He shall act as clerk of all committees, standing or special, of either branch, and of both branches of the city council, not otherwise provided for by ordinance or order, and shall receive such compensation as the city council shall determine.

SECT. 2. He shall make a proper record, in books kept for the purpose, of all proceedings and transactions, and keep a calendar of all meetings of the committees of which he is clerk, and, when requested by the chairman, notify the members thereof. He shall perform such other duties and services, in making estimates and computations, drawing orders and reports, and rendering assistance, as such committees shall require.

SECT. 3. The clerk of committees shall appoint an assistant clerk, who shall assist him in the performance of the duties of his office, and shall discharge the duties of the clerk of committees when that officer is absent, and whenever there is a vacancy in his office.

CHAPTER 10.

ENGINEERING.

SECTION 1. The engineering department shall be under the charge of the city engineer, who shall hold his office for the term of one year from the first day of May in the year of his appointment and until his successor is chosen. He shall receive such compensation as the city council may determine.

Engineering department in charge of the city engineer. 1891, c. 364. §§ 9, 10.

SECT. 2. The city engineer shall exercise a general supervision of all matters within said department; he shall be consulted in relation to public improvements of every kind where the advice of a civil engineer would be of service. He shall have the charge of all plans of streets, drains, sewers and structures of every kind, not especially belonging to other departments, and shall keep the same properly classified and indexed; and he may make such rules and regulations, concerning the taking of plans from his office, as he may deem necessary to insure their safety.

Duties.

Charge of all plans.

SECT. 3. Unless otherwise specially provided, he shall take charge of the construction of all public works of the city which properly come under the direction of a civil engineer; shall perform all engineering services and make all examinations and prepare all statements, plans, specifications and contracts which any department may need in the discharge of its duties; shall, upon being notified by the mayor, supervise all repairs on the bridges used as highways, which affect the safety of the structures, and when required by the mayor, or by any officer or board in charge of a department, shall measure the work done by contract for the city, and certify to the results of such measurement.

Charge of the construction of public works.

Shall supervise repairs of bridges.

Shall measure work done by contract.

SECT. 4. He shall, either by himself or his assistants, make such surveys, plans, profiles, estimates and descriptions as may be required of him by the mayor, the board of aldermen, the city council or any committee thereof; and he shall perform all other such services for the city, which properly come under the direction of a civil engineer, as may be required of him by the mayor, the board of aldermen, the city council or any committee thereof, the city solicitor, the water board, or the board of cemetery commissioners.

Shall make surveys and plans, and perform services required of him.

SECT. 5. He shall take charge of all plans and surveys relating to the laying out, widening, extending, and grading of streets, and the establishing of correct lines for the same, and of all such structures and public works of the city as the city council may direct; *provided*, that nothing in this section shall be so construed

Plans and laying out of streets.

Shall not interfere with other departments.

as to authorize him to interfere with existing departments or boards of officers, or with any which may be hereafter established, whose duties may be clearly defined.

Shall give lines and grades of streets, free of charge.

SECT. 6. He shall give to all applicants, so far as the files and records of his office will permit, any information as to the lines and grades of streets on which their estates are situated, or upon which they intend to build. And all information of this character furnished to owners of estates, or persons representing them, or to those intending to build, shall be without charge. ¹ It shall be his duty to ascertain the proper foundation grade for the superstructure of every building to be erected by the city, and immediately thereafter to furnish all necessary information in relation thereto to the superintendent of public buildings.

Foundation grade.

Shall notify the mayor of encroachments on the public streets
P. S. c. 54.

SECT. 7. Whenever he shall ascertain that any building or structure has been placed within the lines of a public street, or so that it may cause injury or inconvenience to a public street, he shall immediately give notice thereof in writing to the mayor.

Shall annually examine the bridges, etc.

SECT. 8. He shall annually, or oftener if required, carefully examine all the bridges within the city limits, and make such reports respecting their condition as to safety, need of renewal or repairs, as the case may require.

Annual report to the city council.

SECT. 9. He shall annually, in the month of December, present to the city council a report in relation to his department, showing the number of persons employed, the detailed expenses of the department, the general nature of the work, the property under his charge, the condition of all structures that come under his supervision that are in process of construction, or that have been completed during the previous year, and such other general information, in relation to the same, as he may deem expedient.

¹ Amended Dec. 29, 1897.

CHAPTER 11.

FIRE.

SECTION 1. The fire department shall be under the charge of the chief engineer. The department shall consist of a chief engineer, two¹ engineers, who shall be styled call district chiefs, and of as many enginemen, assistant enginemen, hosemen, and hook and ladder men, to be divided into companies, as the number of engines and other fire apparatus belonging to the city shall require.

Fire department in charge of the chief engineer.

Other officers, etc., of the department. P. S. c. 35, § 28.

SECT. 2. The chief engineer, call district chiefs, and all officers and members of the fire department shall hold their respective offices and places until they are removed, or their offices or places are otherwise vacated. The mayor, for cause assigned by him, and after due hearing by him may, with the approval of a majority of the board of aldermen, at any time remove from office or place, the chief engineer, any call district chief, any officer and any member of the department. In the case of a vacancy in the offices of the chief engineer and the call district chiefs, such vacancy shall, within thirty days after it is created, be filled by appointment by the mayor, with the approval of the board of aldermen.

Terms of office.

Removals.

Vacancies.

SECT. 3. The chief and the call district chiefs, on their appointment, shall each receive a warrant, in the words following: "This certifies that — — is appointed chief engineer (or call district chief) of the fire department of the city of Cambridge; and is entitled to all the immunities, and invested with all the powers belonging to said office. Given under my hand, this — day of —, A. D., 18—. — —, Mayor, — —, City Clerk."

Warrants of appointment.

SECT. 4. The chief engineer shall engage in no other business or occupation. The call district chiefs shall report their absences from fires in their respective districts, with the reasons therefor, to the chief engineer, who shall keep a record thereof, and of his own absences from fires. They shall also report to him whenever they intend to leave the city. ² There shall be appointed one more driver than those required for the existing engine and hook and ladder companies. The chief engineer may designate one of the drivers in the fire department to act as driver of his wagon.

Duties of engineers.

¹ Amended Dec. 9, 1896.

² Amended May 4, 1893.

Such person shall be constantly employed, and shall at all times be in or about the engine house except when on duty elsewhere, unavoidably absent, or excused from duty by the chief engineer.

Duties of engineers.

SECT. 5. The call district chiefs shall, whenever a fire breaks out in their respective districts, immediately repair to the fire, wearing the badge of their office; shall require and compel assistance from all persons in extinguishing the fire, removing furniture, goods, or other merchandise from any building on fire or in danger thereof, and in pulling down any building, if occasion require, and shall suppress all tumults and disorders at fires.

Chief engineer to have sole command at fires, etc.

SECT. 6. The chief engineer shall have the sole command at fires over all persons, whether members of the fire department or not. He shall direct all proper measures for extinguishing fires, protecting property, preserving order, and enforcing the laws, ordinances and regulations respecting fires; and shall examine into the condition of the fire engines and all other fire apparatus, and of the fire-engine houses and other houses belonging to the city, and used for the department and by the companies thereto attached, as often as once a week, and whenever directed

Shall certify all bills and submit them to committee on fire department.

so to do by the mayor. He shall certify all bills, and submit the same for inspection monthly to the joint standing committee on the fire department. He shall report to the city council, annually, in the month of December, a statement of the receipts and expenditures of his department, the condition of the fire engines and all other fire apparatus, a schedule of the property in his charge, the names of the officers and members, and all other facts in relation to the department. Whenever the fire engines or other fire apparatus require repairs, he shall cause the same to be made, under the direction of the mayor, and, as far as practicable, shall examine into the location and condition of fire apparatus belonging to corporations or private individuals within the limits of the city. He shall require the permanent men, when not otherwise engaged, to perform such other duties and do such other work as, in his judgment, may be deemed proper. He shall also receive and transmit to the city council all returns of officers, members, and fire apparatus, made by the respective companies as hereinafter prescribed, and all other communications relating to the affairs of the fire department; shall keep fair and exact rolls of the respective companies, specifying the time of admission and discharge and the age of each member, and shall report annually, or oftener if directed, all accidents by fire which may happen within the city, with the cause thereof, the number and description of the buildings destroyed or injured, and the amount of loss and insurance on the same, together with the names of the owners or occupants.

Annual report.

Fire apparatus, public and private.

Direction of firemen.

Transmit returns to city council.

Annual report of all fires.
P. S. c. 85, § 10.

SECT. 7. In case of the absence of the chief engineer, a call district chief, designated by him, shall execute the duties of his office with full powers, except that each call district chief shall have full control within his district during a fire.

Call district chief to act in absence of chief engineer.

SECT. 8. No person who is not a legal voter in the city, and no person whose daily occupation is carried on outside of the city, shall be appointed, or continue an officer or member of the fire department. ¹ Whoever is appointed hereafter to any position in the fire department may be retired from the service at any time after he reaches the age of sixty years, at the discretion of the mayor, with the approval of the board of aldermen. ² Whoever is appointed hereafter as a member of the fire department shall, before receiving such appointment, be subjected to a satisfactory physical examination.

Qualifications of the fire department.

Retire from service.

Physical examination.

SECT. 9. Each steam fire-engine company shall consist of a captain, lieutenant, engineman, assistant engineman, driver of the steam fire engine, driver of the hose carriage, and six hosemen. The captain and lieutenant shall be nominated by the chief engineer for appointment by the mayor and aldermen. The engineman, assistant engineman and the drivers shall be constantly employed, and shall at all times be in or about the engine house, except when unavoidably absent, or excused from duty by the chief engineer.

Members of steam fire-engine companies.

Which to be permanent men.

The captain of each steam fire-engine company shall have charge and direction of his company at fires.

Duties of captains and lieutenants.

The lieutenant of each steam fire-engine company shall assist the captain in the discharge of his duties, and act as clerk of the company.

Each chemical engine company shall consist of a lieutenant, ³ an engineman ³ and driver. The lieutenant ³ of each chemical engine company shall have charge and direction of his company at fires.

Chemical engine companies.

⁴ In addition to the permanent force before mentioned, there shall also be appointed ⁵ six men who shall be constantly employed, and who shall be assigned as the chief engineer may direct. ⁵ provided, however, that the number of members of the department other than those permanently employed shall be reduced by three.

Addition to permanent force.

³ There shall also be appointed from the permanent force one permanent lieutenant of hook and ladder truck companies, whose duty shall be the same as that now performed by the call lieu-

Duty of permanent lieutenant of hook and ladder truck companies.

¹ Amended Oct. 12, 1898.

² Amended Dec. 22, 1898.

³ Amended July 27, 1898.

⁴ Amended Oct. 28, 1896.

⁵ Amended Sept. 30, 1898.

Permanent lieutenant of chemical engine companies.

tenants of said truck companies, and in the absence of the captain he shall have the care of the engine house and all city property therein. There shall also be created the position of permanent lieutenant of chemical engine companies, who shall be chosen from the permanent force, whose duty shall be the same as that now performed by the engineman of said chemical companies. Such permanent lieutenants to be assigned as the chief engineer may direct. The assistant engineman shall be designated and known as engineman, and in the absence of the permanent lieutenant, he shall have charge of the chemical engine house and all city property therein.

Additional permanent man to each steam fire engine.

⁴ There shall also be appointed one additional permanent man to each steam fire engine, making seven additional permanent men; and the number of the call men to each steam fire engine shall be correspondingly reduced.

Duties of enginemen.
P. S. c. 35, § 34.

SECT. 10. The engineman of each fire-engine company shall, under the direction of the chief engineer, have the immediate care of the engine house and all the property therein belonging to the city. He shall make requisitions on the chief engineer for all supplies required for his company. He shall be held personally responsible for the care and condition of the fire engine, and have it at all times ready for immediate use. He shall be accountable for the discipline of his company, and report to the chief engineer any breach of the same. ¹ In the absence of the engineman the assistant engineman shall have the care of the engine house and all city property therein.

Duties of drivers.

SECT. 11. The driver of each fire engine, and the driver of the hose carriage, shall drive and have charge of the horses of the fire engine and hose carriage, respectively, and have the same at all times ready for immediate use, and the stable kept neat and clean. They and the assistant enginemen shall assist the enginemen in keeping the house and apparatus clean, and all shall perform such other duty as may be required of them by the chief engineer.

Members of hook-and-ladder companies.

SECT. 12. Each hook-and-ladder company ² except the company in charge of the Hayes truck, so called, shall consist of a captain, lieutenant, driver, and ³ nine laddermen. ² The company in charge of the Hayes truck, so called, shall consist of a captain, lieutenant, driver, tillerman, and not more than four laddermen. The captain and lieutenant shall be nominated by the chief engineer for appointment by the mayor and aldermen. The captain shall, at all fires, have charge and direction of his company. The

Company in charge of Hayes truck.

¹ Amended Feb. 26, 1898.

² Amended Feb. 23, 1894.

³ Amended Dec. 9, 1896.

⁴ Amended Oct. 12, 1899.

lieutenant shall assist the captain in the discharge of his duties, and also act as clerk of the company. The driver¹ and tillerman shall be constantly employed, and at all times be in or about the hook-and-ladder house, except when unavoidably absent, or excused from duty by the chief engineer. ¹The driver shall drive and have charge of the horses, shall keep the stable neat and clean, and perform such other duty as may be required of him by the chief engineer. ¹The tillerman shall operate the tiller of the Hayes truck, so called, and shall also perform such other duties as may be assigned to and required of him by the chief engineer.

Duties of driver and tillerman.

SECT. 13. The captain of each hook-and-ladder company shall be constantly employed, and at all times be in and about the hook-and-ladder house, except when unavoidably absent; or excused from duty by the chief engineer. He shall, under the direction of the chief engineer, have the sole care of the hook-and-ladder house and all the property therein belonging to the city, and shall be held personally responsible for the care and condition of the same. He shall be accountable for the discipline of his company and report to the chief engineer any breach of the same.

The captains of hook and ladder companies to be permanent men.

Duties and responsibilities.

SECT. 14. Whenever any vacancy occurs in any fire-engine, hose, or hook-and-ladder company, the vacancy shall be filled by appointment by the mayor with the approval of the board of aldermen. The members of such companies shall continue in service until removed by the mayor and aldermen, or until their positions are otherwise vacated, *provided*, however, that the chief engineer or any call district chief may suspend any member of a company for such cause as he may deem sufficient, and the call district chiefs shall each immediately report any case of suspension by him to the chief engineer, and the chief engineer shall, as soon as possible, report any case of suspension to the mayor.

Vacancies in companies, how filled.

Terms of service of members.

SECT. 15. The captains shall keep, or cause to be kept by the clerks of their respective companies, fair and exact rolls, specifying the time of admission, discharge and age of each member, and accounts of all city property intrusted to the care of the several members, and of all cases of absence and tardiness, in a book provided for that purpose by the city, which rolls or record books are always to be subject to the order of the chief engineer and the mayor. They shall also make, or cause to be made, to the chief engineer, true and accurate returns of all the members, with their ages, and of the apparatus intrusted to their care, whenever called upon so to do.

Captains shall cause to be kept rolls of their companies.

Shall make returns to the chief engineer.

SECT. 16. The officers and members of the several companies,

¹ Amended Feb. 23, 1894.

In case of fire,
duty of officers
and members.

whenever a fire breaks out in the city, shall repair forthwith to their respective fire engines, hose, and hook-and-ladder carriages, and obey the directions of the chief or the call district chief in charge, and in the absence of all the call district chiefs, the directions of their respective captains.

Transfer of
members.

SECT. 17. The chief engineer shall have power to transfer members from one company to another, whenever the interests of the department may require it.

Copy of
records of
transfers and
suspensions to
be sent to the
mayor.

SECT. 18. In all cases of transfer, or suspension of the members of the fire department by the chief engineer or call district chiefs, the name of the person transferred or suspended, with a statement of the reasons thereof, shall be entered by the chief engineer on his records, and a copy of the same shall be transmitted at once to the mayor.

Duty of
captains at
fires.

SECT. 19. The captain of each steam fire-engine and hook-and-ladder company, and the engineman of each chemical engine company, immediately on his arrival at any fire, shall report to the chief engineer, or the call district chief in charge, and shall remain by his company and the apparatus of which he has charge, during the fire, preserve order, direct their operations, and protect them from being interrupted in the discharge of their duty.

Duty of other
officers in the
absence of
captain.

SECT. 20. In the absence of the captain of any company, the officer next in rank, who is present, shall take the command, and have all the powers and responsibilities of captain.

No fines to be
imposed on
members.

SECT. 21. No company shall be allowed to impose fines upon its members; but it shall be the duty of the clerk of each company to enter in the roll book provided by the city, all absences of each officer or member of said company from all fires and alarms of fire, and from the monthly and special meetings authorized by the chief engineer, and to make a monthly return of the same to the chief engineer. And for every such absence, except in case of sickness, there shall be deducted from the pay of such officer or member the sum of fifty cents.

Deductions
from pay
permitted.

Uniforms for
permanent
members.

SECT. 22. The permanent men of the department shall be required to furnish themselves with a suitable uniform, the same to consist of a cap, overcoat, undercoat, vest, and pantaloons, and to be of such materials, quality of goods, and pattern, as the chief engineer may prescribe.

Badges to be
worn at all
fires.

SECT. 23. Every member of the department shall wear at all fires, such badge as the chief engineer shall prescribe; and no person without such badge, excepting members of the city council, shall enter within the lines formed at any fire.

Refreshments.

SECT. 24. It shall be the duty of the chief engineer as far as possible, to prevent refreshments being furnished at fires to any

persons, except members of the fire department. No intoxicating liquors of any kind shall be carried into any of the houses used by the fire department; nor shall any gambling be permitted therein.

Intoxicating liquors.
Gambling.

SECT. 25. No company shall leave the city in case of fire in the neighboring towns, except by the consent of the chief engineer; and no company shall leave the city on an excursion, unless by the permission of the mayor, and such permission shall in no case be deemed to include the apparatus.

Companies not to leave the city, except.

SECT. 26. The chief engineer and call district chiefs shall thoroughly examine into all places where shavings and other combustible materials are deposited or collected, and cause the same to be removed by and at the expense of the owners or other occupants of any such places, whenever the security of the city against fire requires it.

Combustibles.

SECT. 27. The chief engineer shall make rules for giving alarms of fire by telegraph, and may alter the same; and he shall make such rules and regulations for the better government, discipline, and good order of the department, and for the extinguishing of fires, as he may deem expedient, the same not being repugnant to the laws of this commonwealth, or to any ordinance of the city, but subject to the approval of the city council; such rules shall be placed on file in the office of the chief engineer.

Rules for fire-alarm telegraph.

Rules for discipline, etc.

FIRE LINES.

SECTION 1. At any place or places in this city at which a fire is or has been in progress no person other than firemen, policemen and other parties duly authorized shall advance, enter or remain within or beyond any barrier, line or limit of approach to said place or places which barrier, line or limit has been established or located by roping off or otherwise by order of the chief of the fire department, during the time and at the place at which said barrier, line or limit of approach is maintained.

No person other than firemen, policemen, etc., allowed within barrier, etc.

SECT. 2. Said barrier, line or limit of approach so established or located as provided in section one, shall be known as and called a "fire line."

Barrier, line, etc., known as fire line.

SECT. 3. Any person violating any of the provisions of this ordinance shall be liable to a penalty not exceeding twenty dollars for each offence.

Penalty.

PENSIONING OF FIREMEN.

SECTION 1. Upon the recommendation of the chief engineer of the fire department to the city council or upon his own petition therefor, any fireman in the employ of the city, who, by reason of permanent disability incurred while in the discharge of his

Petition for pension.

duty as fireman, is no longer able to perform active service as such fireman, shall receive such a pension for such a time and to such an amount as upon hearing he may be found entitled thereto.

Shall receive pension for such a time, etc.

Pension granted under restrictions, etc.

SECT. 2. Every pension granted to a fireman shall be under the following restrictions and subject to the following provisions, viz.: 1. It shall be payable monthly. 2. It may be increased, diminished or revoked at any time after due notice to the pensioner and a hearing before a committee of the city council.

City physician shall examine, and furnish written statement, etc.

SECT. 3. The city physician shall examine every person recommended for or applying for such pension, and shall furnish to the city council a written statement in regard to his physical condition so far as it affects permanently his ability to perform active service as a fireman.

Chief engineer shall furnish written statement, etc.

SECT. 4. The chief engineer of the fire department shall furnish to the city council a written statement of the circumstances under which his disability was incurred, and the sources of his information in regard to the same.

Amount of pension not to exceed, etc.

SECT. 5. The pension granted to the chief engineer of the fire department shall not exceed one-half of the amount of his salary. The pension granted to any other member of the department shall not exceed forty-three dollars per month in any case.

CHAPTER 12.

HEALTH.

¹ SECTION 1. The health department shall be under the charge of the board of health, which shall consist of three persons not members of the city council, one of whom shall be a doctor of medicine. One of them shall be appointed by the mayor subject to the confirmation by the board of aldermen, some time during the month of January of each year, to hold office for the term of three years from the first Monday in February, in the year of his appointment.

Health department in charge of the board of health.
P. S. c. 80, § 8.

Term of office.

SECT. 2. The members of the board of health shall serve without compensation. Suitable accommodations and conveniences shall be furnished the board at the expense of the city, under the direction of the superintendent of public buildings.

Shall serve without pay.

SECT. 3. The board shall annually, in the month of January, report to the city council an accurate account in detail of all receipts and disbursements during the past financial year, and before the twentieth day of January of each year shall submit to the mayor an estimate in detail of the appropriations required by the health department for that financial year.

Annual report to city council.

SECT. 4. The board shall be vigilant and active in protecting the public health; shall see that the laws and ordinances in relation to the same are enforced; shall communicate its views to the city council from time to time, as it may deem expedient, and may call upon the police department and the various city officers to aid it in the performance of these duties.

Duties of the board.

SECT. 5. The board shall make all contracts and regulations for the cleaning of private cesspools, vaults and privies, and all contracts for such work shall contain the condition that such work shall be performed to the satisfaction of the board of health.

Shall make certain contracts and regulations.

SECT. 6. Whenever the board of health does, or causes to be done, work for any person, it shall enter in books kept for that purpose, all such work done, with the price thereof, and shall forthwith make out bills for the same, and deliver them to the treasurer for collection, who shall at once demand payment of the same; and the board shall, on the first day of every month, report in writing, to the auditor, a list of the bills so delivered,

Shall send bills to treasurer.

Monthly reports to the auditor.

¹ Amended April 1, 1896.

and, in case any such bills or dues remain unpaid at the expiration of thirty days after demand for payment as aforesaid, the treasurer shall collect the same according to law.

Permits for
draining
vaults.

SECT. 7. The city engineer, under the direction of the board of health, is authorized to permit, under such restrictions as they may deem expedient, the construction of sufficient passage ways or conduits under ground for the purpose of conveying the liquid contents of any vault into any common sewer.

CHAPTER 13.

CONSTRUCTION, MAINTENANCE AND INSPECTION OF BUILDINGS.

SECTION 1. The superintendent of public buildings shall be an able and experienced architect, builder or mechanic. He shall have the sole charge of the construction, inspection, repair, alteration, care and custody of all the public buildings of the city not constructed for or by any other special department, and shall supervise and direct the construction of buildings of other departments whenever so requested by any such department, and shall have the control of the enforcement of the plumbing ordinance. He shall receive such compensation for his services as the city council may from time to time determine.

Requirements of superintendent of public buildings.

Duties.

SECT. 2. In the month of December of each year he shall present to the city council a written report, showing the number and condition of all buildings under his care, and what repairs, in his opinion, may be needed upon each for the next twelve months, and the probable cost of such repairs.

Annual report to city council.

SECT. 3. As often as practicable he shall examine and inspect the materials, construction, alteration, repair and use of all buildings and other structures erected and in the process of erection, alteration or repair within the city limits, excepting such buildings and structures as are used and occupied by the United States or the commonwealth, also excepting bridges, quays and wharves, and as far as may be necessary for the performance of his duties enter any such building or premises.

Shall examine and inspect the material, construction, etc., of buildings erected.

For other than department buildings and structures he shall require plans and specifications or a description of any proposed erection, alteration or repair, other than necessary repairs, to be filed in his office, and shall grant licenses for such erection or alteration and repairs other than necessary repairs, when the plans, specifications or descriptions are so filed in conformity with the ordinances of the city and the laws of this commonwealth. He shall make a record of all violations of this ordinance, with the street and number where such violations occurred, the names of the owners, architects and master mechanics and all other matters relative thereto. He or his assistants shall examine all buildings reported dangerous or damaged by fire or accident, and make a record of such examinations, stating the nature and amount of such damage, the name of the street and number of the building, the names of the owner and occupant, and the purpose for which it is occupied; he shall examine all buildings

Plans to be filed of any proposed erection, alteration or repair.

Shall make record of all violations.

Shall examine buildings reported dangerous or damaged by fire, and make record of same.

Shall examine buildings that are to be raised, etc.

Authority to enter and examine buildings for prevention of fire.

May enter premises to ascertain origin of fire.

Designate an assistant who shall have power and authority of superintendent.

Person before building, etc., shall give written statement to superintendent, with plan, material to be used, and precise location.

Shall obtain written license to build.

Shall obtain lines and grades of the streets from City Engineer.

Applicant to give seven day's notice.

for which applications have been made for permits to raise, enlarge, alter, build upon or tear down, and make a record of such examination. The records required by this section shall always be open to the inspection of any officer of the city.

SECT. 4. He shall have all the right and authority that the inspector of buildings now has and that may hereafter be given and conferred by the laws of this commonwealth and ordinances of this city now and hereafter in force relating to the inspection, construction, use, occupation, alteration, repair and safety of buildings and structures within the limits of the city for the prevention of fires and the protection of life, and shall cause the ordinances of the city and the statute law of this commonwealth now and hereafter in force with reference thereto to be strictly enforced. He may enter upon the premises wherein any fire has occurred and ascertain, if possible, the origin of the fire. He shall designate an assistant in his department as his deputy, who, in the event of, and during his temporary absence or disability shall have and exercise all the powers and authority of the superintendent.

SECT. 5. Every person before proceeding to build, erect, alter or repair in any way, except in making necessary repairs, any structure, building, wall or fence whatsoever (if said wall or fence is at any place nearer than five feet to the line of any public street next adjacent thereto), except bridges, quays, wharves or buildings of the government of the United States or this commonwealth, shall first give written notice to the superintendent of his intention, with a plan of the structure, building, wall or fence proposed, the materials to be used, the number of the street, the precise location, and the name of the owner or owners of the land; and shall obtain from the superintendent a written license so to do; and in all cases where any part of such structure, building, wall, or fence is nearer than five feet to the line of the street next adjacent thereto, he shall obtain free of expense from the city engineer, if in the power of the latter to furnish the same, the lines and grades of the streets adjoining which he proposes to build, erect, alter or repair as aforesaid. The superintendent may also, before issuing a license as aforesaid, require the applicant to give seven days' notice in writing of the application to any and all persons whose interests the superintendent considers may be effected by the proposed work. All materials are to be of good quality for the purposes for which they are to be used, and to conform to legal, trade and manufacturers' standards, and be subject to the approval of the superintendent.

SECT. 6. The superintendent shall designate in every permit

for the erection of a new building the lowest grade at which the floor of the basement story of such building may be laid.

Lowest grade to be designated.

SECT. 7. No building more than one hundred and twenty-five feet in height above the grade of the street shall hereafter be erected in this city, provided, however, that this restriction shall not apply to grain or coal elevators or sugar refineries, nor to spires of churches, steeples, domes, towers or cupolas erected for strictly ornamental purposes, of fireproof material.

No building to be erected more than 125 ft. in height, except grain elevators, etc.

SECT. 8. Every portion of every structure in process of construction, alteration, repair or removal, and every neighboring structure or portion thereof affected thereby, or by any excavation, shall be properly constructed and sufficiently supported. The superintendent may take such measures as the public safety requires to carry this section into effect, and any expense so incurred may be recovered by the city from the owner of the defective structure.

Structure in process of construction, etc., to be sufficiently supported.

SECT. 9. Every building of three or more stories in height within this city now or hereafter used, in whole or in part, as a public building, public or private institution, schoolhouse, church, theatre, public hall, place of assemblage or place of public resort, and every such building in which ten or more persons are employed above the second story in a factory, workshop or mercantile or other establishment, and every hotel, family hotel, apartment house, boarding house, lodging house or tenement house within this city in which ten or more persons lodge or reside above the second story, and every factory, workshop, mercantile or other establishment within this city, the owner, lessee or occupant of which is notified in writing by the superintendent that the provisions of this section are deemed by him applicable thereto, shall be provided with proper ways of egress or other means of escape from fire sufficient for the use of all persons accommodated assembling, employed, lodging or residing in such building; and such ways of egress and means of escape shall be kept free from obstruction, in good repair, and ready for use. Every room above the second story in any such building in which ten or more persons are employed shall be provided, if the superintendent shall so direct in writing, with more than one way of egress by stairways on the inside or outside of the building, placed as near as practicable at the opposite ends of the building; stairways on the outside of the building shall have suitable railed landings at each story above the first, and shall connect with each story by doors or windows, and such landings, doors and windows shall be kept clear of ice and snow and other obstructions. No person shall be employed in a factory, workshop or mercantile or other establishment in a room above the

Owners of buildings if notified by superintendent shall provide proper ways of egress or other means of escape from fire.

Egress by stairways.

second story from which there is only one way of egress if the said superintendent shall so direct in writing. All doors and windows in any building subject to the provisions of this section shall open outwardly, if the superintendent shall so direct in writing. No portable seats or other obstructions shall be allowed in the aisles or passage-ways of such buildings during any service or entertainment held therein. The proscenium or curtain opening of all theatres shall have a fire-resisting curtain of some incombustible material and such curtain shall be properly constructed and shall be operated by proper mechanism; the certificate of the superintendent shall be conclusive evidence of a compliance with such requirements.

Doors to be made so as to open outward.

Portable seats.

Proscenium shall have a fire-resisting curtain.

Hotel, etc., more than two stories high to be provided with means of egress.

SECT. 10. Every hotel, family hotel, apartment house, boarding house, lodging house or tenement house hereafter erected, more than two stories high from the level of the street, shall be provided with two stairways placed in such a manner at opposite sides or ends of the building that the inmates shall have easy means of egress at all times; said stairways to lead from each story, and all halls leading from front to rear shall be provided with doors so as to form a fire and smoke stop.

Building for more than one family to have safe means of egress.

SECT. 11. Every building hereafter built, and every building occupied by more than one family, shall have, according to its height, condition, construction, surroundings, character or occupation, and number of occupants, one or more safe means of egress in case of fire, as the superintendent may direct.

Schoolhouses, churches, etc., to have independent ways of egress.

SECT. 12. Every schoolhouse two stories or more high, every church, theatre, public building, hall, place of assembly or resort, every building occupied above the second story by two or more families, or as a tenement, boarding or lodging house, or as a factory or workshop, where ten or more persons are employed, shall have at least two independent ways of egress, each accessible from each apartment, and one of which shall be enclosed in brick walls, shall have no interior openings other than the doors of the apartments from which it is an exit, and shall be provided with a ventilating skylight, which can be operated from the lower hall. All ways of egress from every building shall be kept in good repair. No obstruction shall be placed upon any way of egress from any building. Provided, however, with the approval of the superintendent such stairways may be constructed as hereafter provided in section twenty-six.

To be kept in good repair.

Owners entitled to certificate that building is provided with safe means of egress.

SECT. 13. Any owner or lessee responsible for the condition of a building shall be entitled to a certificate, or if the original has been issued, an exhibition of the duplicate thereof on the superintendent's records to the effect that such building is provided with safe means of egress, if and whenever such is the

case in the superintendent's opinion. Any tenant of or person employed in any private building, and in the case of any public building or public school, any citizen of Cambridge shall be entitled to an exhibition of the superintendent's record, and, if no certificate has been issued, may apply to have a certificate issued for such building.

SECT. 14. In case any building subject to sections nine, sixteen, seventeen, eighteen, nineteen, twenty and twenty-one of this ordinance is owned, leased, or occupied, jointly or in severalty, by different persons, any one of such persons shall have the right to apply to any part of the outside of such building and to sustain from any part of the outside wall thereof, any way of egress or means of escape from fire specified and described by the superintendent, notwithstanding the objection of any other such owner, lessee, or occupant; and any such way of egress or means of escape may project over the highway.

In case building is owned, etc., jointly or in severalty.

SECT. 15. The platforms, landings and steps of every fire escape shall be strong enough to carry a load of seventy pounds to the square foot in addition to the weight of material.

Fire escape to carry a load of seventy pounds to square foot.

SECT. 16. In this city no building three or more stories in height designed to be used, in whole or in part, as a public building, public or private institution, schoolhouse, church, theatre, public hall, place of assemblage or place of public resort, and no building more than two stories in height, designed to be used above the second story, in whole or in part, as a factory, workshop or mercantile or other establishment, and having accommodations for ten or more employees above said story, and no building more than two stories in height designed to be used above the second story, in whole or in part, as a hotel, family hotel, apartment house, boarding house, lodging house, or tenement house, and having ten or more rooms above said story, shall hereafter be erected until a copy of the plans of such building has been deposited with the superintendent by the person causing the erection or construction of such building, or by the architect who has drawn such plans, which plans shall include therein the system or method of ventilation provided for such building, together with a copy of such portion of the specifications of such building as the superintendent may require, nor shall any such building be so erected without the provision of sufficient ways of egress and other means of escape from fire properly located and constructed. The certificate of the superintendent endorsed with the approval of the chief of the district police force, shall be conclusive evidence of a compliance with the provisions of this ordinance; provided that after the granting of such certificate no change is made in the plans or specifications of such ways of

Plans of certain buildings to be deposited with superintendent.

Plans to include method of ventilation.

Certificate of superintendent.

egress and means of escape, unless a new certificate is obtained therefor. The superintendent may require that proper fire stops shall be provided in the floors, walls and partitions of such buildings, and may make such further requirements as may be necessary or proper to prevent the spread of fire therein or its communication from any steam boiler or heating apparatus; and no pipe for conveying hot air or steam in such building shall be placed nearer than one inch to any woodwork, unless protected to the satisfaction of the superintendent by suitable guards or casings of incombustible material, and no wooden flue or air duct for heating or ventilating purposes shall be placed in any such building.

Fire stops in floors, etc., to prevent spread of fire.

No woodwork to be near pipe.

Penalty.

SECT. 17. Any person erecting or constructing a building, or any architect or other person who shall draw plans or specifications or superintend the erection or construction of a building, in violation of the two preceding provisions of this ordinance, shall be punished by a fine of not less than fifty nor more than one thousand dollars, and may also be enjoined, as otherwise provided by statute at the instance of the superintendent.

Shall examine buildings.

SECT. 18. It shall be the duty of the superintendent to examine from time to time all buildings subject to the provisions of sections nine and sixteen of this ordinance. In case any such building conforms, in the judgment of the superintendent, to the requirements of this ordinance, he shall issue to the owner, lessee or occupant of such building, or of any portion thereof, used as above mentioned in sections nine and sixteen of this ordinance, a certificate to that effect, specifying the number of persons for whom the ways of egress and means of escape in case of fire are deemed to be sufficient; such certificate shall be conclusive evidence, as long as it continues in force, of the compliance on the part of the person to whom it is issued, with the provisions of this ordinance; but such certificates shall be of no effect in case a greater number of persons than therein specified are accommodated or employed, or assembled, lodged or reside within such building or portion thereof, or in case such building is used for any purposes materially different from those for which it was used at the time of the granting thereof, or in case the internal arrangements of such building are materially altered, or in case any ways of egress or means of escape from fire existing in such building at the time of such granting are stopped up, rendered unavailable or materially changed; and in no case shall such certificate continue in force for more than five years from its date. Such certificate may be revoked by the superintendent at any time upon written notice to the person holding the same or occupying the premises for which it was granted, and shall be so

Certificate of number of persons for whom ways of egress and means of escape are deemed sufficient.

Certificate shall be of no effect, etc.

Certificate may be revoked.

revoked whenever, in his opinion, any conditions or circumstances have so changed that the existing ways of egress and means of escape are no longer proper and sufficient. A copy of the said certificate shall be kept posted in a conspicuous place upon every floor of such building by the person occupying the premises covered thereby.

Copy of certificate to be posted, etc.

SECT. 19. Upon an application being made to the superintendent for the granting of a certificate under sections sixteen and eighteen of this ordinance, he shall issue to the person making the same an acknowledgment that such certificate has been applied for; and pending the granting or refusal of such certificate, such acknowledgment shall have, for a period of ninety days, the same effect as such certificate, and such acknowledgment may be renewed by the superintendent with the same effect for a further period not exceeding ninety days, and may be further renewed by the chief of the district police force, until such time as such certificate shall be granted or refused.

Superintendent shall issue acknowledgment, etc.

SECT. 20. In case any change is made in any premises for which a certificate has been issued under this ordinance, whether in the use thereof or otherwise, such as terminates the effect of such certificate, as above provided in section eleven, it shall be the duty of the person making the same to give written notice thereof forthwith to the superintendent and to the chief of the district police.

Written notice to be made in case any change is made in premises.

SECT. 21. In case any building, or portion thereof, subject to sections nine, sixteen, seventeen, eighteen, nineteen and twenty of this ordinance, is found by the superintendent to fail to conform thereto, or in case any change is made in such building or portion thereof, such as terminates the effect of a certificate formerly granted therefor as aforesaid, it shall be the duty of the superintendent to give notice in writing to the owner, lessee, or occupant of such building, specifying and describing what additional ways of egress or means of escape from fire are necessary, in the opinion of the superintendent, in order to conform to said provisions of this ordinance, and to secure the granting of a certificate as aforesaid. Notice to any agent of such owner, lessee, or occupant in charge of the premises shall be sufficient notice under this section to such owner, lessee, or occupant.

Notice to be given of failure to conform to ordinance.

SECT. 22. When a license is required by law or municipal ordinance, in order to authorize any premises to be used for any purpose mentioned in section nine, no license for such purpose shall be granted until a certificate for such building or portion thereof shall first have been obtained from the superintendent, as above provided, and no such license hereafter issued shall continue in force any longer than such certificate remains in force.

No license shall be granted, etc.

Frame or wooden buildings to be built with sills, etc.

SECT. 23. All frame or wooden buildings exceeding a height of fifteen feet from underpinning, shall be built with sills, posts, girts, plates and rafters, all of suitable size and mortised, tenoned, braced and pinned, and with suitable studs not less than two inches by four inches to space not more than sixteen inches on centres, and if the building exceeds four hundred feet in area the posts and girts shall not be less than four inches by eight inches. Floor timbers shall not be less than two inches thick.

No ledger boards to be used, etc.

SECT. 24. No ledger boards shall be used in place of girts in any building where the posts exceed fifteen feet in height; and all openings at floors, whether caused by ledger-board floor joists laid upon girts, or floor joists projecting above sills, shall be stopped by joists not less than two inches thick fitted tightly between the studs.

Notice to be given to superintendent when premises are ready for inspection.

SECT. 25. In all buildings hereafter erected or altered in whole or in part, in which lathing and plastering is to be done, in which fire stops are required or gas pipes and meters are to be placed, the owners or builders thereof shall before proceeding to lathe, plaster, place fire stops, gas pipes or meters therein give written notice to the superintendent that the premises are ready for inspection. Whenever such inspection is found to be satisfactory to the superintendent, the latter shall forthwith issue to the owners or builders a license to lathe and plaster, and locate fire stops, gas pipes and meters; and all such work shall be done in strict conformity with the terms of such license. Gas piping and location of gas meters shall also be done in accordance with the terms and conditions named in section fifty-six.

License to lathe and plaster.

Gas piping or location of gas meters.

Partition walls of brick, etc.

SECT. 26. In every wooden building in which two or more families reside on the same floor there shall be a partition wall of brick, or other incombustible material satisfactory to the superintendent, dividing each apartment; if of brick to be not less than eight inches thick, built up to the under side of the roof covering, and the said covering laid and embedded in mortar upon the walls, or built up twelve inches above the roof and covered with metallic covering, or where said wall is not carried above the roof there shall be placed on each side of said wall a rafter which shall be filled in solidly with mortar between said walls and rafters, provided openings in party or partition walls may be made for the purpose of stairways, in which case all partitions around said openings shall be brick nogged, and all such partitions shall be lathed on both sides with metal or wire lathing and plastered, and all door openings in such partitions shall be furnished with metal covered doors satisfactory to the superintendent. The soffits of all such stairways shall be lathed with metal or wire lathing. Party walls of brick in buildings more

Openings for stairways.

than two stories high shall be at least twelve inches thick to first story floor.

SECT. 27. The exterior walls of every building hereafter erected for or converted to use as a tenement or lodging house, and not having an exposure on an open space, street, court or passageway more than twenty feet in width, shall not exceed thirty feet in height.

Height of exterior walls of tenement, etc.

SECT. 28. All buildings except single dwellings more than two stories high shall have permanent means of access to the roof from the inside. The openings for the same shall not be less than eighteen by thirty inches.

Access to the roof.

SECT. 29. In the erection or alteration of any building, the material of which, in whole or in part, is other than brick, stone or wood, the thickness of walls of such material and the method of construction shall be such as the superintendent shall approve.

Thickness of walls of buildings other than brick.

SECT. 30. Every wooden building hereafter erected shall be not more than three stories in height from the grade of the street or place upon which it is to be erected, nor any part thereof be less than one foot six inches from the line of any adjoining lot, nor if there is a building upon the adjoining lot, be nearer than three feet to such building without the intervention of a brick wall or other incombustible material satisfactory to the superintendent.

Wooden buildings shall be not more than three stories in height, etc.

SECT. 31. No building hereafter erected or altered which is to be used in whole or in part for stable purposes shall be built nearer than five feet to any adjoining lot nor, if there is a dwelling house upon the adjoining lot, be nearer than fifteen feet to such dwelling house¹ without the approval of the city council, except that on the rear line of a lot such stable may be within eighteen inches of ¹ such line when it¹ does not intersect the line of any public street.

Building for stable purposes.

SECT. 32. The sills of wooden dwelling houses shall be not less than one foot above the ground to the under side of the same. All basement walls of frame or wooden buildings shall be not less than eight inches thick, if of brick, and sixteen inches thick if of stone. When such walls are eight feet high or more above the surface of the ground, they shall be not less than twelve inches thick if of brick, and not less than eighteen inches thick if of stone.

Sills, basement walls, etc., of wooden dwelling houses.

SECT. 33. Unless otherwise permitted by the statutes of this commonwealth or ordinance of this city, no person shall construct or place or cause to be constructed or placed a portico, porch, door, window, step or other projection projecting into a street except that a special license may be granted to build a cornice

Portico, porch, etc., not to project into street.

¹ Amended Dec. 22, 1898.

when the extreme projection does not exceed twenty inches beyond street line.

Grade of cellars.

SECT. 34. No cellar or basement cellar of any building shall be constructed below the grade of thirteen feet above mean low water, except upon a special written license from the superintendent, and to the extent only as specified in said license. The cellar of every dwelling hereafter built on filled or made land, or where the grade or nature of the ground requires, shall be sufficiently protected from water and damp by a bed at least two inches thick over the whole, of concrete, cement and gravel, tar and gravel, or asphalt, or by bricks laid in cement. The space between any floor and the cellar bottom shall be well ventilated.

Cellar bottoms on made land.

Excavations to be protected.

SECT. 35. All excavations shall be so protected, by sheet piling, if necessary, by the person causing the same to be made, that the adjoining soil shall not cave in by reason of its own weight; or adjoining building shall not thereby be endangered. All permanent excavations within the fire limits shall be protected by retaining walls.

Permanent excavations.

Elevator wells and light shafts.

SECT. 36. All elevator wells and light shafts in buildings more than two stories high, unless built of brick, shall be filled between studs with fire-proof material and lined with metal or plastered on metallic lathing as may be directed by the superintendent.

Mortars.

SECT. 37. All mortars shall be made with such proportion of sand as will ensure a proper degree of cohesion and tenacity, and secure thorough adhesion to the material with which they are to be used, and the superintendent shall condemn all mortars not so made. The following rules must be complied with: Mortar below level of water shall be no poorer than one part cement, two parts sand. Mortar for first-class buildings shall, for one-half their height, be no poorer than one part cement, two parts sand; above, equal parts of cement and lime, and the proper proportion of sand. Mortar for second-class buildings as are below the level of the sidewalk shall be no poorer than the best lime mortar. Exceptions by the superintendent may be made for mortar used in setting stone where cement will stain.

Foundation walls of dwelling houses.

SECT. 38. The foundation walls of all dwelling houses to be hereafter erected shall be constructed of the dimensions and in the manner following, viz:—

Of wooden houses.

For wooden houses not exceeding three stories in height, said foundation walls, if built of rubble stone, shall be not less than sixteen inches thick at the top and twenty inches thick at the bottom, the slope to be upon the outside of the wall, and shall be laid in mortar, as provided in section thirty-seven, and if made of block stone, laid in horizontal courses, shall be laid in cement

mortar; or if made of brick, shall be laid upon stone levellers, not less than twenty inches broad and twelve inches thick, and said brick foundation walls shall not be less than sixteen inches thick, or twelve inches thick with buttresses not less than twelve inches wide, as often as once in ten feet, which shall project four inches at the top, and at the bottom a sufficient distance to give a batter of one in ten.

For brick or stone houses having walls not exceeding twenty-five feet in height above the foundations, the foundation walls shall be built in all respects the same as described in the preceding paragraph, except that they shall be four inches thicker than called for in said paragraph.

Foundation walls of brick or stone houses.

The foundation walls of brick or stone houses having walls exceeding twenty-five feet, and not exceeding forty-five feet in height above the foundation wall, if built of rubble stone, shall be not less than twenty-four inches thick at the top, and thirty inches thick at the bottom, and shall be laid in mortar, the same as provided in the second paragraph of this section; and, if made of block stone, in horizontal courses, or of brick laid in cement, upon stone levellers, not less than thirty inches broad and twelve inches thick, said foundation walls shall not be less than twenty feet thick.

The foundation walls of all brick or stone houses having exterior walls exceeding forty-five feet in height above said foundation walls, if made of rubble stone, shall be not less than thirty inches thick at the top, and thirty-six inches thick at the bottom, and shall be laid in mortar, the same as provided in the second paragraph of this section; and, if made of block stone, laid in horizontal courses, shall be laid in cement mortar; or, if made of brick, laid upon stone levellers, not less than thirty-six inches broad and sixteen inches thick, said foundation walls shall be not less than twenty-four inches thick.

Every building shall have a foundation, the bearing of which shall be not less than four feet below any adjoining surface exposed to frost, and such foundation, with the superstructure which it supports, shall not overload the material on which it rests. No round or boulder stone shall be used in the construction of any foundation walls.

SECT. 39. Foundation walls of all wooden buildings other than dwelling houses, hereafter erected with external walls not exceeding twenty-five feet in height above the foundation walls, if made of common stone shall be of same thickness as required in dwelling houses in section thirty-eight, and foundation walls of all wooden buildings other than dwelling houses hereafter erected with external walls not exceeding thirty-five feet in

Foundation walls of wooden buildings other than dwelling houses.

height above the foundation walls, if made of common stone, shall be not less than twenty inches thick at the top, and thirty inches thick at the bottom, the slope to be upon the outside of the wall, and shall be laid in mortar, the same as hereinbefore provided for the foundations of dwelling houses; and if laid of block stone, in horizontal courses, or of brick, laid in cement, upon stone levellers, not less than thirty inches broad and twelve inches thick, they shall be not less than twenty-four inches thick. The foundation walls of all brick buildings of the height and description mentioned in this section shall be four inches thicker than above stated.

Foundation
of brick and
permanent
buildings.

SECT. 40. The foundation of every brick building and of all permanent buildings must rest on solid ground or levelled surfaces of solid rock, brick, or upon piles, concrete or other solid substructure. The foundation walls of all wooden buildings, other than dwelling houses, hereafter erected with external walls exceeding thirty-five feet in height above the foundation walls, if made of common stone, shall be not less than twenty-four inches thick at the top, and thirty inches thick at the bottom, the slope to be upon the outside of the wall, and shall be laid in mortar, the same as hereinbefore provided for the foundation walls of dwelling houses; and, if made of block stone, laid in horizontal courses, they shall be not less than twenty-eight inches thick. The foundation walls of all brick buildings of the height and description mentioned in this section shall be four inches thicker than above stated. All foundation walls shall be laid at least four inches below the bottom of the cellar.

Piling.

SECT. 41. Whenever piles are required to be driven for a foundation, except as provided in the next section, they shall be of suitable stock, driven to a firm and solid bearing, and the tops shall be cut off on a level to insure constant immersion. There shall be not less than two rows under all external and party walls, and they shall be spaced not over three feet on centres in the direction of the length of the wall, and the number, diameter and bearing of such piles shall be sufficient to support the superstructures proposed.

Buildings over seventy feet in height shall rest where the nature of the ground permits, upon at least three rows of piles or an equivalent number of piles arranged to less than three rows. The superintendent shall determine the grade at which the piles shall be cut.

Capping.

All piles, except as provided in the next section, shall be capped with block granite levellers not less than sixteen inches thick, each stone to have a firm bearing on at least one pile in each row. The superintendent may require any applicant for a

license to ascertain by boring the nature of the ground on which he proposes to build.

SECT. 42. Wooden structures for dwellings, not exceeding two stories in height, may be built on stone or brick foundations, on piers or posts, each set on a hard bottom, but to a depth of not less than four feet below the surface of the ground, or on piles well driven to a hard bottom; said piers, posts and piles to be spaced not more than eight feet on centres, or on mud sills resting on cross-pieces of plank three inches or more in thickness, not less than four feet long and ten inches wide, placed at intervals of not more than three feet on centres; and wooden structures for manufacturing or business purposes, not exceeding three stories in height, may be built on foundations before described, upon a special license being first obtained from the superintendent.

Foundations of structures not over two stories high.

Special license.

SECT. 43. In every brick wall in buildings hereafter erected, every ninth course of brick shall be a heading course, except in walls built with some other bond in which as much as every ninth course is a heading course, and except where walls are faced with face brick, in which case every ninth course shall be bonded with Flemish headers, or by cutting the course of the face brick, and putting in diagonal headers behind the same, or by splitting face brick in half and backing the same by a continuous row of headers. The front, rear, side, end and party walls of all brick buildings hereafter erected shall be anchored to each other every ten feet in their height by tie anchors, made of at least one and a quarter inch by three-eighths inch wrought iron.

Heading courses.

Anchors for walls.

All walls of a brick building on which the ends of beams rest shall be anchored at each tier of beams, at intervals of not more than ten feet apart, with good strong, wrought iron anchors, at least three-eighths inch by one and one-quarter inch, well built into the walls and fastened at the top of the beams; and, where the beams are supported by girders, the ends of the beams resting on the girders shall be butted together, end to end, and strapped by wrought iron straps or tie-irons, at the same distance apart, and in the same beams as the wall anchors, and shall be well fastened.

Straps for beams.

SECT. 44. All brickwork shall be of merchantable, well-shaped bricks, well laid and bedded, with well filled joints, in mortar, as required by section thirty-seven, and well flushed up at every course with mortar. Bricks when laid shall be wet or dry, as the superintendent may direct.

Brickwork.

SECT. 45. All piers shall be built of good quality merchantable, well-burnt hard brick, laid in cement and sand mortar, and well

Piers.

wet when laid in warm weather. Brick piers under lintels, girders or columns of brick buildings shall have an iron cap at least two inches thick, the full size of the pier. Brick piers and buttresses shall be bonded, every seventh course with through courses, levelled and bedded, each course, and, where their foundations rest upon piles, a sufficient number of piles shall be driven to insure a proper support. Piles and walls shall have caps or plates, when needed, sufficient to distribute the load properly. Said piers shall not be more than eight times higher than the width of their base, unless otherwise permitted by the superintendent.

Party and bearing partition walls.

SECT. 46. In first-class buildings all party and bearing partition walls above the foundation shall be of brick or its equivalent.

External and party walls of buildings.

SECT. 47. The external and party walls of all dwellings of the first and second-class shall be as follows: Twenty feet wide by forty feet deep, twelve feet high, shall not be less than eight inches thick; twelve feet to sixty feet high, twelve inches; sixty feet to seventy feet high, sixteen inches to second floor, twelve inches above; seventy feet to eighty feet high, twenty inches to second floor, sixteen inches to upper floor, and twelve inches above; all walls of dwellings over eighty feet in height shall have for the upper eighty feet, the thickness required for building between seventy and eighty feet in height, and every section of twenty-five feet thereof below such upper eighty feet shall have a thickness of four inches more than is required for the section next above it.

External and party walls of buildings other than dwellings.

¹ SECT. 48. The external and party walls of all buildings of the first and second class other than dwellings shall be as follows: Above the foundations of every such building, twenty-five feet or less in height, such walls shall be not less than twelve inches thick. Between twenty-five and forty feet in height such walls shall be sixteen inches thick to the top of the second floor, and twelve inches for the remaining height. Such walls of such buildings of forty feet or over, but not over sixty feet in height, twenty inches to the top of second floor; sixteen inches to the top of the upper floor and twelve inches for the remaining height. Such walls of such buildings of sixty feet or over, but not over eighty feet high, twenty-four inches to the top of the first floor, twenty inches to the top of the upper floor, and to within fifteen feet of the roof and sixteen inches above. Such walls of such buildings of eighty feet or more in height shall have for the upper eighty feet the thickness required for buildings between seventy feet and eighty feet in height and every section of twenty-five feet or part thereof below such eighty feet

¹ Amended Oct. 20, 1897.

shall have a thickness of four inches more than is required for the section next above it.

SECT. 49. External walls may, with the consent of the superintendent, be built in part of iron or steel, and when so built may be of less thickness than is above required for external walls, provided such walls meet the requirements of this ordinance as to strength, and provided that all constructional parts are wholly protected from heat by brick or terra cotta, or by plastering three-quarters of an inch thick, with iron furring and wiring.

External walls may be built of iron or steel.

SECT. 50. All buildings hereafter erected, except buildings of the first class¹ buildings, the external frame work and walls of which consist of incombustible materials satisfactory to the superintendent, buildings of one story in height not exceeding twenty feet to the apex of the roof thereof, and buildings in whole or in part two stories in height not exceeding twenty feet to the apex of the roof of the one-story portion, and thirty feet to the apex of the roof of the two-story portion, exclusive of such cupolas or towers as may be approved by the superintendent, shall be so divided by brick partition walls, of the thickness prescribed for bearing partition walls and carried thirty inches above thereof, that no space inside any such building shall exceed in area five thousand square feet, except upon the recommendation of the superintendent of public buildings, and the approval of the city council, and in no case to exceed seven thousand square feet; and no existing wall in any building, except a building of the first class, shall be removed so as to leave an area not so enclosed of more than five thousand square feet, except upon the recommendation of the superintendent and the approval of the city council, and in no case to exceed seven thousand square feet; provided, that in buildings having a height of not over thirty-five feet, the height above the roof of the said brick partition walls need not exceed twelve inches. Openings or doorways in partition walls referred to in this section shall not exceed two in number for each floor, and the combined area of such openings on each floor shall not exceed one hundred square feet. Each opening must be provided with two sets of metal-covered doors, separated by the thickness of the walls, hung to rabbeted iron frames, or to iron hinges in brick or iron rabbets; provided, this section shall not apply to churches, stables, depots or school-houses; and, provided, also, that no part of any such one-story or two-story building shall be placed or maintained within fifteen feet of any other building or within fifteen feet of the line or lines of the adjoining lot or lots; that the exterior walls of every such one-story or two-story building in whole or in part, except

Brick partition walls.

Openings or doorways in partition walls.

¹ Amended Oct. 12, 1898.

brick and stone buildings, shall be covered with corrugated iron or slate; the roof shall be covered with tar and gravel, corrugated iron or slate, or any other incombustible material satisfactory to the superintendent; and all window openings thereof shall be supplied with tinued or iron shutters; that no space inside any such two-story portion of any such building shall exceed in area five thousand square feet, except upon the recommendation of the superintendent and the approval of the city council, and in no case to exceed seven thousand square feet; that every such area shall be separated from the one-story portion of such building by a brick partition of the thickness prescribed for bearing partition walls, and carried to the roof of the two-story portion of such building; that openings or doorways between the two-story and one-story portions of such buildings shall not exceed two in number for each floor, and the combined area of such openings on each floor shall not exceed four hundred and fifty square feet, each opening or doorway to be furnished with two sets of metal-covered doors set and hung as hereinbefore specified; and, provided, also, that the total area of any such one-story building shall not exceed twenty-five thousand square feet, except upon the recommendation of the superintendent and the approval of the city council.

Vaulted walls.

SECT. 51. Vaulted walls shall contain, exclusive of withes, the same amount of material as is required for solid walls, and the walls on either side of the air space in a wall carrying a floor shall be not less than eight inches thick and shall be securely tied together with ties not more than two feet apart.

Anchors for walls.

SECT. 52. All walls of a first or second-class building meeting at an angle shall be united every ten feet of their height by anchors made of at least two inches by half an inch wrought iron securely built into the side or partition walls not less than thirty-six inches, and into the front and rear walls at least one-half the thickness of such walls.

Party and partition walls.

SECT. 53. Party walls and partition walls of brick in all buildings other than dwelling houses hereafter erected in this city with external walls not exceeding thirty feet in height shall be not less than twelve inches thick; and in buildings having external walls exceeding fifty feet in height said walls shall be not less than twenty inches thick to the top of the second floor, nor less than sixteen inches thick to the top of the third floor, and not less than twelve inches thick for the remaining height. Partitions supporting floors shall rest upon girders, trusses, walls, or partition caps.

External and party walls.

SECT. 54. In all brick buildings other than dwellings thirty feet in width, not having either brick partition walls or girders

supported by columns and running from front to rear, and the entire height of the building, the external and party walls shall be increased four inches in thickness for every additional twenty-five feet or fractional part thereof in the width of said building.

SECT. 55. All roof or floor timbers entering the same party wall from opposite sides shall have at least four inches solid brickwork between the ends of said timbers.

Roof or floor timbers.

SECT. 56. All gas piping shall be done in accordance with the following scale:

Gas piping.

Size of Tubing.	Greatest Length Allowed.	Greatest No. of Burners.
$\frac{3}{8}$ in.	20 ft.	3 burners.
$\frac{1}{2}$	30	6
$\frac{3}{4}$	50	20
1	70	35
$1\frac{1}{4}$	100	60
$1\frac{1}{2}$	150	100
2	200	200

No greater length of pipe of each size shall be allowed than that specified in the scale; and no more burners shall be taken from any size than the number above stated, even if the length of pipe is diminished.

No deviation from the above shall be allowed except in certain cases (as for instance, stables or cellars where a small number of burners are to be used in a large space), upon the written approval of the superintendent.

No work shall be approved in which copper pipe is used.

No cement shall be allowed in any joints or upon any fittings.

No black varnished pipe shall be allowed.

Where the construction of the building will permit, all piping running under the flooring of the building shall be laid on top of the floor timbers.

In all cases the rising pipe shall be left projecting below the floor timber at least three inches, and with threaded end.

In all cases the location of meters shall be determined by the superintendent and shall be as near as possible to the end of service pipe as it enters from the street.

SECT. 57. The ends of all wooden floor or roof beams in first and second-class buildings shall enter the wall to a depth of at least four inches, unless the wall is properly corbelled so as to give a bearing of at least four inches, and the ends of all such beams shall be so shaped or arranged that in case of fire they may fall without injury to the wall.

Wooden floor or roof beams.

SECT. 58. The ends of all floor beams and rafters of a brick building entering a wall shall be cut on a splay of three inches in their width.

Splayed floor beams.

Timbers not to be cut without license.

SECT. 59. No floor timber, header or trimmer of a brick building shall be cut into more than two inches in depth for piping without a license from the superintendent, and no cutting shall be made in any timber at a greater distance than three feet from its support.

Construction of floors.

SECT. 60. Each floor in first or second-class buildings shall have its beams so tied to the walls and to each other with wrought iron straps or anchors at least three-eighths of an inch thick by one and one-half inches wide, as to form continuous ties across the building, not more than ten feet apart. Walls running parallel or nearly parallel with floor beams shall be properly tied once in ten feet to the floor beams by iron straps or anchors of the size above specified.

Floor-bearing supports.

SECT. 61. First and second-class buildings hereafter built shall have floor-bearing supports not over thirty feet apart. These supports may be brick walls, trusses or columns and girders. Such brick walls may be four inches less in thickness than is required by this ordinance for external and party walls of the same height, provided they comply with the provisions of this ordinance as to the strength of materials, but in no case less than twelve inches thick. When trusses are used, the walls upon which they rest shall be at least four inches thicker than is otherwise required by sections forty-eight and forty-nine, and for every addition of twenty-five feet or part thereof to the length of the truss over thirty feet.

Weight-bearing capacity of floors.

SECT. 62. All floors shall be constructed to bear a safe weight, per superficial foot, exclusive of materials, as follows: For dwellings, tenements or lodging houses, seventy-five pounds; for stores and office buildings for light mechanical purposes and for public buildings, one hundred and fifty pounds; for storehouses, warehouses, machine shops, armories, drill rooms and riding schools, not less than two hundred and fifty pounds. The requirements shall apply to all buildings altered as well as to new buildings.

Certificate weight-bearing capacity of floors.

SECT. 63. In every building hereafter built or altered, there shall be posted and maintained in every room used for mechanical or mercantile purposes, the superintendent's certificate of the weight-bearing capacity of the floor. No part of any floor of such room shall be loaded beyond its capacity as certified.

Headers and tail beams.

SECT. 64. Every header more than four feet long used in any building, except a dwelling, shall be hung in stirrup irons of suitable dimensions for the size of the timbers and securely joint-bolted. All tail beams shall be properly framed or hung to headers.

License to cut openings and doorways in partition walls.

SECT. 65. No opening or doorway shall be cut through or formed in a party or partition wall of any building without a

license from the superintendent of public buildings, and every such doorway shall have a top, bottom and sides of stone, brick or iron, and shall be closed by two doors, or sets of doors, of wrought iron, or of wood, covered with metal, with an air space between them of at least four inches, and said doors shall be hung in rabbeted iron frames, or in wooden frames, entirely covered with metal, or to iron hinges, in brick or stone rabbets, except as otherwise permitted by section twenty-six.

SECT. 66. When openings or recesses, or both, occur in an external wall, or when buttresses are used, the piers shall be of sufficient strength to comply with the provisions of this ordinance prescribing strength of materials, and not less in thickness than is above specified, and no other portion of the wall shall be less than twelve inches thick in buildings under seventy feet in height, or less than sixteen inches thick in buildings seventy feet or over in height.

Openings or recesses in external walls.

SECT. 67. No recess, chase or flue shall be made in any party wall so deep that it will leave the thickness at the back less than eight inches at any point, and no recess, chase or flue not vertical shall be made without the special permit of the superintendent. No vertical recess other than flues, in stacks, shall be nearer than seven feet to any other recess, unless by special permit of the superintendent.

Recess, chase or flue in party walls.

SECT. 68. Every metal column in a brick building shall rest on an iron plate of not less thickness than two inches. Wooden columns supporting girders and floors in such buildings shall rest on one and one-half inch iron plates, with sockets to receive the foot of the columns. Metal columns, placed one on top of another, shall have a plate at the top of each column, with projections on both sides to fit into cap and base of columns, to prevent slipping; and all columns shall have holes bored, where directed by the superintendent, into and through the shell at right angles to the shaft, so as to show the thickness of shell. All bearing parts of columns and plates shall be turned or planed to true surfaces.

Columns.

SECT. 69. Where a wall is finished with a stone cornice, the greatest weight of material of such cornice shall be on the inside of the face of the wall.

Stone cornice.

SECT. 70. All buildings hereafter erected within eight feet of any street or travelled way, shall be provided with suitable leaders for conducting the water from the roof to the ground, and, in no case shall such water be allowed to flow upon or across the surface of the sidewalk to the street, gutter, or sewer, and no person shall permit a leader or conductor from the roof of a building owned by him to be so placed or maintained as to direct a volume of water upon or across the surface of a sidewalk.

Conductors of water.

Leaders.

SECT. 71. All buildings over forty-five feet high shall have suitable water-tight metallic leaders, and all buildings shall have leaders sufficient to carry all the water to the street, gutter or sewer, in such a manner as not to overflow upon the sidewalk or to cause dampness on any wall, yard or area.

Construction of roofs.

SECT. 72. No part of the roof of any first or second-class building hereafter built over sixty feet high, to be used for mercantile, manufacturing or storage purposes, or as a theatre, hotel, apartment house or office building, shall have a pitch of over twenty degrees. All new or renewed roofs shall be so constructed as to bear safely, in addition to the weight of the material, twenty-five pounds per superficial foot of area, covered with proper additional allowance for a horizontal wind pressure of thirty pounds per square foot. All thin glass skylights upon roofs shall be covered by a wire netting, when, in the opinion of the superintendent, such protection is needed.

Roof coverings.

SECT. 73. The roof of every second-class building hereafter built within the fire limits shall be covered with tin, iron, slate, gravel, composition or like substantial roofing material not readily inflammable.

Structure, etc., on roof.

No structure or stand for observation purposes shall be constructed or occupied upon the roof of any building within the city.

Weight-bearing metals.

SECT. 74. All weight-bearing metal in first and second-class buildings hereafter built shall be protected by brick, terra cotta or plastering on metal laths and furring, or other incombustible material approved by the superintendent.

Upright supports.

SECT. 75. Upright supports in first-class buildings hereafter erected or altered, of other material than brick below the first floor, shall be protected by a jacket of brick or terra cotta, at least four inches thick, or by a coating of plaster one inch thick, on wire or metal lathing, or other substantial fire-proof material.

Chimneys.

SECT. 76. All chimneys hereafter erected shall be built from the ground, of hard-burnt brick, stone or other fire-proof, non-conducting materials, and shall be built plumb, or nearly so, so as to be self-sustaining; provided, however, that brick flues may be securely built into the brickwork of the walls of the building to which they are hung, when the walls are not less than twelve inches thick; and provided, also, that upon special permission first obtained from the city council, chimneys may be built upon cast iron or hard pine columns set upon iron plates at least one and one-half inches thick, with sockets and capped at their upper ends with a metal plate at least two inches thick, and not more than two inches shorter upon either side than the

corresponding sides of the chimney; or, upon permission being obtained as above, chimneys may be built upon a flooring of masonry supported by iron beams which have secure bearings on masonry or iron at each end, the same to be constructed in all respects to the satisfaction of the superintendent; and provided, also, that the matter of the construction of chimneys in small wooden buildings, other than dwelling houses, not more than one story and a half in height, shall be left to the decision of the superintendent; but such chimneys must be constructed in accordance with his instructions and to his satisfaction.

SECT. 77. Every chimney flue in which soft coal or wood is burned shall be carried to a height sufficient to protect neighboring buildings from fire and smoke.

Chimney flues.

SECT. 78. All brick chimney flues shall be smoothly plastered inside with mortar from top to bottom during the course of construction, and also outside below the roofing, after having been examined and approved by the superintendent; except that exposed portions of said chimneys when the walls of the flues are eight inches thick may be left unplastered upon the outside. All chimneys shall be topped out at least four feet above the highest point of contact with the roof with brick or stones laid in cement, and the topping out shall not have more than a two-inch projection, unless the bricks are covered by a cap of stone or other non-combustible material in one piece, properly secured and approved by the superintendent; and in no case shall a nail be driven into the masonry of any flue.

SECT. 79. The shell of all flues for boilers, ovens and ranges set in brick shall hereafter be of brickwork eight inches thick, or its equivalent, to the top of the first floor above said boilers, ovens or ranges. Ranges set in brick and boilers shall have the outside of their flues exposed without covering, except by plastering directly upon the bricks up to the ceiling of the room, and no woodwork shall be placed on the outside of the same.

Shells for boilers, flues, etc.

SECT. 80. No woodwork of any kind, except the roof covering, shall be placed at a less distance than one inch from the outside of the brickwork of any flue. No woodwork shall be placed at a less distance than one inch from any tin or other metal flue or pipe used or intended to be used to convey heated air, hot water or steam in any building, unless such flue or pipe be cased with a metal sleeve of one inch larger diameter than said flue or pipe, so as to permit a free circulation of air all around the same. No part of any floor timber shall be within less than two inches of any chimney. No studding or furring shall be within less than one inch of any chimney.

No woodwork to be near flue or steam pipe.

SECT. 81. No smoke pipe shall project through any external

Smoke pipes.

wall or window. No smoke pipe shall pass through any wooden partition without a soapstone ring of the thickness of the partition and extending four inches from the pipe, or a double metal collar of the thickness of the partition, with a ventilated air space of not less than four inches around the pipe; nor shall be placed within eight inches of any wood unless such wood is plastered and protected by a metal shield two inches distant from the wood, in which case the smoke pipe shall not be less than six inches from the wood. The tops of all heating furnaces set in brick shall be covered with brick, supported by iron bars, and so constructed as to be perfectly tight; said covering to be in addition to and not less than six inches from the ordinary covering of the hot air chamber. All hot air register boxes hereafter placed in the floors or partitions of buildings shall be set in soapstone or equally incombustible borders not less than two inches in width, and shall be made of tin plate, and have double pipes and boxes properly fitted to the soapstone. Hot air-pipes and register boxes shall be at least one inch from any woodwork, and register boxes fifteen inches by twenty-five inches, or larger, and their connecting pipes shall be two inches from any woodwork. The requirements of this section may be modified or dispensed with by the superintendent in first-class buildings.

Hearths.

SECT. 82. All hearths shall be supported by trimmer arches of brick or stone, or be of single stones at least six inches thick, built into the chimney and supported by iron beams, one end of which shall be securely built into the masonry of a chimney or an adjoining wall, or which shall otherwise rest upon incombustible support. The brick jambs of every fireplace, range or grate opening shall be at least eight inches wide each, and the backs of such openings shall be at least eight inches thick. All hearths and trimmer arches shall be at least twelve inches longer on either side than the width of such openings, and at least eighteen inches wide in front of the chimney breast. Brickwork over fireplaces and grate openings shall be supported by proper iron bars or brick or stone arches.

Boilers.

SECT. 83. No boiler to be used for steam motive power and no furnace for melting metal or making glass shall be placed on any floor above the cellar or basement, unless the same is set upon masonry built up from the ground, or upon iron beams supported upon masonry; and in no case without a permit from the superintendent; and all woodwork and timbers shall be removed from the floor under the same; provided, however, that furnaces for melting such metals only as fuse at a temperature not exceeding eight hundred degrees Fahrenheit, and that are connected with the chimney by a sheet metal pipe exposed

to view, may be placed upon hollow brick or stone hearths, supported by the wooden floor of the first story or basement, the air spaces in which hearths shall not be less than three inches in perpendicular height and connected by suitable air passages with the atmosphere of the room.

SECT. 84. No stationary boiler, furnace or range set in masonry shall hereafter be placed or its location changed in any building without a license from the superintendent, who shall prescribe such regulations for the setting or placing thereof as in his judgment the public safety may require.

Stationary
boilers.

SECT. 85. The top of every heating furnace not set in brick shall be kept at least sixteen inches below the beams or ceiling, with a shield of tin plate, made tight, suspended not less than two inches below the said beams or ceiling, and extending at least one foot beyond the top of the furnace on all sides. If the furnace is set in brick and the ceiling is plastered or the beams are covered with metal, the top of the brickwork may be kept within not less than six inches of the ceiling or beams without the intervention of the tin plate shield.

Tops of
furnaces.

SECT. 86. No woodwork shall be placed within one inch of any metal pipe to be used to convey heated air or steam, unless such pipe is protected by a soapstone or earthen ring or tube or a metal casing, with proper air space around the same satisfactory to the superintendent.

No woodwork
to be near
metal pipe.

SECT. 87. Every story above the second of a building subject to the provisions of section nine of this ordinance shall be supplied with means of extinguishing fire, consisting either of pails of water or other portable apparatus, or of a hose attached to a suitable water supply, and capable of reaching any part of such story; and such means of extinguishing fire shall be kept at all times ready for use and in good condition.

Means of
extinguishing
fire.

SECT. 88. No wooden flue or air duct for heating or ventilating purposes shall hereafter be placed in any building subject to the provision of section nine of this ordinance, and no pipe for conveying hot air or steam in such building shall be placed, or shall remain placed, nearer than one inch to any woodwork, unless protected to the satisfaction of the superintendent by suitable guards or casings of incombustible material.

No wooden
flue or air
duct to be near
woodwork.

SECT. 89. No steam or hot-water heating apparatus shall be placed in any building now or hereafter built without a license from the superintendent, who shall prescribe such regulations for the setting or placing of the same as in his judgment the public safety may require.

License to set
steam heaters,
etc.

SECT. 90. All floor timbers, headers and trimmers of every brick building hereafter erected or altered in which a chimney

Floor timbers,
etc., not to be
near flues.



is built in a brick wall shall be placed distant at least two inches from the outside of every chimney flue, and the space between such timbers and the brickwork of the chimney shall be enclosed by a proper fire stop of incombustible material.

Chimneys, etc.,
how set.

SECT. 91. Every chimney, flue, furnace, boiler or any heating apparatus on any premises shall be so placed and constructed as in the opinion of the superintendent shall not be unsafe or dangerous to life and limb.

Hot air
registers, how
made and set.

SECT. 92. All hot air register boxes hereafter placed in the floors or partitions of buildings shall be set in soapstone borders not less than two inches in width, firmly set in plaster of paris or guaged mortar, or in such other protection as shall in the judgment of the superintendent be equivalent to soapstone; shall be made of tin plate, with a flange on the top to the rabbet in the soapstone, and shall have an open space of one inch on all sides, extending from the under side of the ceiling below the register, or the back side of the partition to the soapstone in the floor or partition; the outside of said space to be covered with a casing of tin plate, tight on all sides, and extending from the under side of said ceiling or back side of said partition to and turning under the said soapstone; but register boxes of fifteen by twenty-five inches or more in size shall have a space as above of two inches.

Fire belts and
stops.

SECT. 93. The insides of all furred brick walls of every building hereafter erected shall have a fire belt or stop composed of some fire-proof material, at least six inches wide, and thoroughly set up between furrings at the top and bottom of each floor, and in each story in which stud walls or partitions are constructed, and rest on walls or other partitions; said stud walls and partitions shall have the spaces between the floor joists immediately under such walls or partitions, and between studs from the under sides of said floor joists, to a line six inches above the tops of said joists, filled solid and flush with the plastering on both sides with mortar, cement, plaster or other incombustible material; and, if such studs or partitions shall rest upon solid timber or joists for the whole length thereof, such filling, as above described, shall be placed from the top of such timber or joists to the same height as above specified; or a strip of tin or galvanized iron, at least one inch wider than the width of said studding, and continuing under the footing of said walls or partitions, may be substituted for the filling above specified where there is no partition or wall beneath. The exterior and interior walls of all wooden buildings hereafter erected shall have the space between the studding at the top and bottom of each story divided or separated by a fire stop, so as to check effectually the draft

from one story to another, and from the vertical spaces in the walls to the horizontal passages between the floor timbers. The spaces between stringers or carriages of all wooden staircases, unless said stringers or carriages are left exposed, shall be closed at intervals not exceeding three feet by substantial stops of incombustible material.

Wooden staircases, how protected.

SECT. 94. The various forms of construction tending to create or form air passages from one story to another, such as spaces around pipes, ventilating shafts, or chimneys furred off to form breasts, in every building hereafter erected or altered, shall have a fire and smoke stop at each floor, approved by the superintendent, which fire and smoke stop in all brick buildings shall be of incombustible material. All ventilation ducts shall be of incombustible material.

Fire and smoke stops.

SECT. 95. Every building hereafter erected upon the line, or within five feet of the line of any street and having a slated pitch roof, sloping towards said street, shall be provided with suitable snow barriers or guards upon said roof, to prevent the snow sliding therefrom, the same to be constructed and applied to the satisfaction of the superintendent.

Snow barriers, etc., for slated roofs.

SECT. 96. In every second-class building hereafter erected within the fire limits all exterior parts more than forty-five feet above the sidewalk, except window frame sashes and blinds, shall be made of metal, stone, brick or other incombustible material.

Exterior parts of buildings within fire limits.

SECT. 97. Whenever any person is about to erect, alter or remove the exterior walls of a building, within five feet or on the line of a street, he shall cause the portion of the site of the building bordering upon the street to be closed by a proper fence, no less than four feet high; and the fence shall be made as much higher as the superintendent shall direct, and the same shall be maintained until all liability to accident from falling material ceases.

Fence to enclose while building.

SECT. 98. For the better protection of the lives and property of the inhabitants and other persons, it is hereby ordained that: The territory at and within the distance of three miles from the present city hall be and is hereby established as a fire limit.

Line of fire limit.

SECT. 99. Within the fire limit, so established, no structure or building of more than three stories in height, designed to be used in whole or in part as a public building, public or private institution, a public hotel, family hotel, apartment house, lodging house, tenement house, schoolhouse, church, theatre, public hall, place of assembly or place of public resort, shall be erected within twenty feet of any other structure or building, unless the exterior walls of such structure or building to be erected are made of or covered with some incombustible material.

Distance between buildings within fire limits.

Dwelling
houses within
fire limits.

SECT. 100. Within the fire limit, as established, all dwelling houses of more than two stories in height, now or hereafter erected, and within the distance of ten feet from any other building or structure, shall be furnished with a front and rear stairway, or some equally safe means of egress.

Elevators, etc.

SECT. 101. Elevators or hoists for freight which do not pass the ceiling of the first story may be constructed without fireproof enclosures above the basement. In existing buildings or in buildings hereafter erected in compliance with this ordinance, freight and passenger elevators without fireproof enclosures may be placed in areas or hallways which are continuous and unbroken, no part being separated from another part by an intervening floor; provided, that no additional draft of air is thereby created. In such buildings such elevators may pass through the first floor of any area or hallway; provided, a fireproof enclosure be carried

Shafts.

up to the first floor. Except as above provided, all shafts hereafter built for elevators, hoists, dumb-waiters, lifts, light and ventilating shafts or other air ducts, shall be constructed of, and if they do not pass the upper floor, their tops shall be covered with some substantial material not inflammable. All such shafts which pass the top floor shall be carried at least eighteen inches above the roof and be covered with a skylight. Such shafts already constructed, except lifts of twenty-eight inches square, or of less area, and except in dwelling houses to be occupied by not more than one family, shall be lined with tin or plastered on wire lathing, or otherwise rendered non-inflammable on the inside. Such shafts hereafter built for freight and passenger elevators shall be of brick at least eight inches thick, or of metal covered on both sides with at least one inch of plaster applied immediately to the metal, or with some other equally substantial, non-inflammable, non-conducting, material. Every entrance opening in a shaft or hoistway within two and one-half feet above the floor shall be protected by sufficient rails, gates, trapdoors or such other device as shall be equivalent thereto. Every elevator shall be provided with some sufficient arrangement to prevent the falling of the car in case of accident. Overhead elevator machinery shall have underneath it a grille sufficient to protect the car from falling material. Every opening into an elevator shaft or hoistway, and every opening through a floor, other than a stairway, shall be closed when not in use. All inside elevator shaft openings, other than openings in passenger elevator shafts, shall be furnished with metal-covered doors hung to rabbeted iron frames, and shall have iron thresholds, and said doors shall be kept closed when not in use. Outside windows or openings of every elevator shaft shall have

three vertical iron bars painted red, equally dividing the opening. Every part of any elevator not enclosed in a shaft shall be protected by a wire grille.

SECT. 102. No elevator shall be used in any building until after written approval by the superintendent.

SECT. 103. In case any freight or passenger elevator is not constructed and furnished in compliance with this Ordinance, or has become unsafe, the superintendent shall post a conspicuous warning and prohibition at each entrance to such elevator. It shall, thereafter, until a new written license is given by the superintendent, be a penal offence hereunder to operate said elevator, or remove or deface said notice. No freight or passenger elevator shall be operated for more than six months after the date of the superintendent's license, unless a certificate signed by some elevator builder that the elevator is safe and in good order has been furnished within six months, and is posted in the car or at the entrance.

Defective elevators.

SECT. 104. No explosive or inflammable compound or combustible material shall be stored or placed under any stairway of any building, or used in any such place or manner as to obstruct or render egress hazardous in case of fire.

Storage of explosives.

SECT. 105. Every building, except churches and schoolhouses, hereafter built or altered as to contain an audience or assembly hall capable of holding eight hundred persons or more, and every theatre hereafter built, shall be a first or second-class building. In all theatres hereafter erected the level of the stage above the street level shall not exceed five feet. The audience hall and each compartment, division and gallery of every such building shall respectively have at least two independent exits, as far apart as may be. Every such exit shall have a width of at least twenty inches for every hundred persons which the hall, compartment, division or gallery from which it leads is capable of containing; provided, that two or more exits of the same aggregate width may be substituted for either of the two exits above required. None of the exits above required shall be less than five feet wide.

Audience halls, etc.: Construction.

SECT. 106. Every building of the classes referred to in section one hundred and five hereafter built shall have a frontage as wide as the widest part of the auditorium or assembly hall, including side passages or lobbies, the whole width and height of which frontage shall be upon a street, court, passageway or area open to the sky, and at least thirty feet wide opposite the entire frontage. Such court, passageway or area shall have an unobstructed way at least thirty feet wide, either through a first-class building without openings into any second or third-class building, or

Audience halls, etc.: Frontage.

Exits.

wholly open to the sky, connecting it with a public street at least thirty feet wide. There shall be at least one exit on this front which shall be in no case less than five feet in width, and of such greater width as an allowance of twenty inches for each one hundred persons which the building may at any time contain will in the aggregate require. There shall be another independent exit of the same capacity, or independent exits of the same aggregate capacity, either through a first-class building without openings into any second or third-class building, or through a passageway open to the sky. All doors shall open outward, and shall not be so placed as to reduce the width of the passage above required.

Aisles.

All aisles, stairways and passages in such buildings shall be of even or increasing width toward the exit, at least seven feet high throughout, without obstruction below that height properly arranged for the easy egress of the audience, and of a width in respect of each division, gallery or compartment, computed according to the above rule. No aisle or passage in such buildings, rising toward its exit, except stairways from story to story and necessary steps in galleries and balconies, shall have a gradient within the auditorium of more than two in ten, nor elsewhere of more than one in ten.

Audience halls,
etc.: Stair
stringers,
winders.

SECT. 107. In buildings of the classes referred to in section one hundred and five hereafter built, the cut of the stair stringers shall not exceed seven and one-half inches' rise, nor be less than ten and one-half inches' tread. No winders shall be less than seven inches wide at the narrowest part. There shall be no flights of more than fifteen or less than three steps between landings. Every landing shall be at least four feet wide from step to step.

Audience halls,
etc.: Stairs and
landings.

SECT. 108. All stairs and landings of all buildings of the classes referred to in section one hundred and five hereafter built shall have throughout proper hand rails on both sides firmly secured to walls, or to strong posts or balusters. Stairways twelve feet or more wide shall have one or more intermediate rails not more than eight feet apart and properly supported.

Audience halls,
etc.: Boilers,
etc.

SECT. 109. No boiler, furnace, engine or heating apparatus, except steam or hot air pipes and radiators, shall be located under the auditorium nor under any passage or stairway of any exit of any building of the classes referred to in section one hundred and five.

Audience halls,
etc.: Lights.

SECT. 110. The lights for the rear of the auditorium, and for all passage and stairways of exits of every building of the classes referred to in section one hundred and five hereafter built, shall be independent of the lights of the rest of the auditorium and of

the platform or stage, and shall be so arranged that they cannot be turned down or off from the platform or stage.

SECT. 111. All exits from every building of the classes referred to in section one hundred and five shall be opened for the use of every departing audience, and shall have fastenings on the inside only.

Audience halls,
etc.: Exits

SECT. 112. No temporary seats or other obstructions shall be allowed in any aisle, passageway or stairway of a building of the classes referred to in section one hundred and five, and no person shall be allowed to remain in any aisle, passageway or stairway of any such building during any performance.

Audience halls,
etc.: Obstruc-
tions, etc., in
aisle.

SECT. 113. The stage of every theatre hereafter built shall be separated from the auditorium by a brick wall sixteen inches thick, which wall shall extend the entire width and height of the building, and two feet six inches above the roof, like a party wall. There shall be no openings through this wall except the curtain opening, and not more than two others, which shall be located at or below the level of the stage; these latter openings shall not exceed twenty-one superficial feet each, and shall have tinned wood self-closing doors securely hung to rabbeted iron frames or rabbets in the brickwork. The finish or decorative features around the curtain opening of every theatre shall be of incombustible materials, well secured to masonry. All scenery, curtains and woodwork of the stage of every theatre shall be thoroughly covered, and, if practicable, saturated with fire-resisting material. No fixed portion of the stage shall be of wood.

Theatres:
Stage.

SECT. 114. There shall be lobbies adjoining each division of the auditorium of every theatre hereafter built, separated therefrom by a partition of brick or other equally incombustible material, and sufficiently large to furnish standing room for all persons that such division may at any time contain. There shall be no openings in such partition except such as are required in section one hundred and five, and such openings shall not be more than eight feet high.

Theatres:
Lobbies.

SECT. 115. The proscenium or curtain of every theatre shall have a fire-resisting curtain of incombustible material, reinforced by wire netting, or otherwise strengthened. If of iron, or similar heavy material, and made to lower from the top, it shall be so contrived as to be stopped securely at a height of seven feet above the stage floor; the remaining opening being closed by a curtain or valance of fire-resisting fabric. Such curtain shall be raised at the beginning and lowered at the end of each and every performance, and shall be of proper material, construction and mechanism.

Theatres:
Proscenium or
curtain.

SECT. 116. All scene docks, carpenter or property shops and

Theatres:
Scene docks,
etc.

wardrobes of every theatre hereafter built shall be separated from the stage, auditorium and dressing-room divisions by solid brick walls, not less than twelve inches thick, with no openings to the auditorium or dressing-room divisions; and all openings to the stage shall have tinned wood self-closing doors, securely hung to rabbets in the brickwork.

Theatres:
Employees'
rooms, gas
lights.

SECT. 117. All rooms in theatres for the use of persons employed therein shall have at least two independent exits. All stage gas lights shall be protected by proper nettings.

Theatres:
Ventilators.

SECT. 118. There shall be one or more ventilators near the centre and above the highest portion of the stage of every theatre, equal in combined area of opening to one-tenth of the area of stage floor. Every such ventilator shall have a valve or louver so counterbalanced as to open automatically, and shall be kept closed, when not in use, by a cord reaching to the prompter's desk, and readily operated therefrom. Such cord shall be of combustible material and so arranged that if it is severed, the ventilator will open automatically.

Theatres:
High-service
standpipes.

SECT. 119. There shall be at least two two-inch high-service standpipes on the stage of every theatre, with ample provision of hose and nozzles at each level of the stage on each side, and the water shall be kept turned on during the occupation of the building by any audience. The said pipes shall have two gates, one above the other, with a proper test or waste valve; the lower gate to be kept open at all times. The proscenium opening of every theatre shall be provided with a two and one-half inch perforated iron pipe, or equivalent equipment of automatic or open sprinklers, as the superintendent may direct, so constructed as to form when in operation a complete water curtain for the entire proscenium opening, and there shall be for the rest of the stage a complete system of fire apparatus and perforated iron pipes, automatic or open sprinklers. Said pipes or sprinklers shall be supplied with water by high-pressure service, and be at all times ready for use.

Halls, etc.:
Ventilation

Every hall, auditorium or room of every building hereafter erected for or converted to use as a schoolhouse, factory, theatre or place of public assembly or entertainment, shall have in continuous operation while occupied a system of ventilation so contrived as to provide fifty cubic feet per minute of outer air for each light other than an electric light for each occupant.

Tenements,
etc.: Ventila-
tion.

SECT. 120. Every existing tenement or lodging house shall have in every sleeping room not communicating directly with the external air two ventilating or transom windows of not less than six square feet area each, one opening into another room or passage having an external window of not less than six

square feet area, with movable sashes. No transom window shall be placed in a partition wall enclosing a main stairway.

SECT. 121. Every room in every tenement or lodging house hereafter built, and in every building hereafter altered to be used as such, shall be not less than eight feet in height in the clear in every story, except that in the attic it may be less than eight feet high for one-half of the area of the room. Every such room shall have one or more windows on an open air space with an area at least one-tenth as great as that of the room. The top of at least one window on such air space in each room shall be at least seven feet six inches from the floor, and the upper sash of the same window shall be movable.

Tenements, etc.: Height of rooms, and windows.

SECT. 122. No building of which any part is used for storage or sale of hay, straw, hemp, flax, shavings, burning fluid, turpentine, camphene or any inflammable oil, or other highly combustible substance, shall be occupied in any part as a dwelling, tenement or lodging house, except that rooms for coachmen or grooms may be allowed in private stables authorized by this act, upon special permit from the superintendent.

Buildings used for storage.

SECT. 123. All stationary receptacles in a building for ashes, waste and other substances, liable, by spontaneous combustion, or otherwise, to cause a fire in a building, shall be made of incombustible material satisfactory to the superintendent.

Receptacles for ashes, etc.

SECT. 124. Every lodging house containing over fifty rooms above the first floor, and every tenement house containing more than fifty sleeping rooms above the first floor, shall have at least one night watchman exclusively so employed on duty every night from nine o'clock at night until six o'clock in the morning; and every lodging house of the second or third class containing more than one hundred rooms above the first floor, and every tenement house containing more than one hundred sleeping rooms above the first floor, shall have at least two night watchmen exclusively so employed on duty every night from nine o'clock at night until six o'clock in the morning. But in the latter class of lodging and tenement houses a proper system of thermostats or automatic fire alarms, approved in writing by the superintendent, may be substituted for one of the watchmen. In all lodging or tenement houses of either of the above classes a red light shall be kept burning at night at the head and foot of every flight of stairs, and one or more gongs shall be so placed and be of such size and number as to give the alarm throughout the house in case of fire; and in every sleeping room there shall be conspicuously posted directions for escape in case of fire. The superintendent may make such other or further requirements for prevention of and escape from fire as may be reasonably neces-

Lodging houses, etc.: Night watchman.

Automatic fire-alarm.

sary under the conditions of each case. Any innholder who fails to comply with the provisions of this section shall thereby forfeit his license.

Lodging-
houses, etc. :
Water-closets.

SECT. 125. Every dwelling, tenement or lodging house, every schoolhouse and every building where operatives are employed shall have at least one water-closet or privy, and if more than twenty persons therein live, attend or are employed, there shall be an additional water-closet or privy for every twenty persons or fraction thereof; and in buildings where operatives of both sexes are employed separate accommodations shall be furnished for men and women. Privies or cesspools shall not be allowed where a sewer makes water-closets practicable. Every water-closet in every building hereafter erected for or converted to use as a tenement house, family hotel or apartment house shall have a window opening to the outer air.

Storage or
manufacture
of combusti-
bles, or explo-
sives.

SECT. 126. No grain elevator or building for the storing or manufacture of high combustibles or explosives, or for chemical or rendering works, shall be erected, and no engine, dynamo, boiler or furnace, except exclusively for the heating of or to raise elevators in the building in which it is shall be placed in any building without a license issued under the provisions of sections one hundred and twenty-seven, one hundred and twenty-eight and one hundred and twenty-nine.

License
required.

Application for
license.

SECT. 127. Every application for a license required by section one hundred and twenty-six shall be filed with the superintendent in writing, and shall set forth the location and character of the building, the size, power and purpose of the apparatus, with such further information as the superintendent may require.

Application to
be published.

SECT. 128. Every such application shall be published in at least two weekly papers published in Cambridge; and the applicant shall also, if so directed by the superintendent, conspicuously post on the premises a copy of an application, and deliver copies thereof to such persons as the superintendent may direct, and shall file an affidavit with the superintendent that the notice required has been duly given. If no objection is filed with the superintendent before the expiration of ten days from the time of the first publication of notice, or within ten days of the delivery and first posting notice if required, the superintendent shall, if the arrangement, location and construction of the proposed apparatus is proper, and in accordance with the terms of this ordinance, issue a permit for the same. But if such objection is filed, the application shall be returned to the superintendent for further consideration.

Objections.

Notice of
hearing.

SECT. 129. The superintendent shall in each case cause due notice to be given to all parties of the time and place of hearing.

and after hearing the parties he shall issue a license under such conditions as may be prescribed, or may withhold the same.

SECT. 130. Within the following described districts of the fire limits no building other than the first, second and third classes shall hereafter be erected:—

Fire limit
districts:
Mass. ave.

First. Starting from the westerly end of Harvard bridge on Massachusetts avenue and running continuously therefrom on both sides of Massachusetts avenue to Waterhouse street, including Lafayette, Central, Putnam, Quincy and Harvard squares and within the area included between the city building lines wherever established on said Massachusetts avenue and squares and where such building lines are not established, within the area included between the lines of private ownership adjacent to the lines of said Massachusetts avenue and squares and a line distant one hundred feet to the right and left at right angles from each and every point of said building lines and said street lines of private ownership on both sides of said Massachusetts avenue and all sides of said squares between the westerly end of Harvard bridge and said Waterhouse street as aforesaid.

Second. Starting from the westerly end of Craigie bridge and running continuously therefrom on both sides of Bridge street to and including Lechmere square, and thence running continuously westerly on both sides of Cambridge street to and including Inman square, and within the area included between the city building lines wherever established on said Bridge and Cambridge streets and said squares and where building lines are not so established, within the area included between the lines of private ownership adjacent to the lines of said Bridge and Cambridge streets and said squares and a line distant one hundred feet to the right and left at right angles from each and every point of said building lines and said street lines of private ownership on both sides of said Bridge and Cambridge streets and all sides of said squares between the westerly end of Craigie bridge and Inman square as aforesaid.

Fire limit
districts:
Cambridge st.

Third. Starting from the harbor commissioners' line on the westerly side of Charles river on the westerly end of West Boston bridge, and running continuously on both sides of Main street to and including Kendall square and Smith square, and thence running continuously westerly on both sides of said Main street to its intersection with Massachusetts avenue at Lafayette square and within the area included between the city building lines wherever established in said Main street and said squares and where building lines are not so established within the area included between the lines of private ownership adjacent to the

Fire limit
districts:
Main st.

lines of said Main street and said squares and a line distant one hundred feet to the right and left at right angles from each and every point of said building lines and said street lines of private ownership on both sides of said Main street and all sides of said squares between the harbor commissioners' line on the westerly end of West Boston bridge to Lafayette square as aforesaid.

Fire limit
districts:
Brattle st.

Fourth. All that territory which lies south and west and is bounded northerly and easterly by the first fire district above described, and is included on all its other sides within and is bounded westerly and southerly by the following lines: Commencing at a point in the westerly limit of said first fire district one hundred feet northerly from the northerly line of Church street, thence running continuously southwesterly and southerly on a line distant one hundred feet at right angles from each and every point of the northerly or westerly line of said Church street to Brattle street, and thence across said Brattle street, at right angles therewith, and then continuing in the same line to a point on property of private persons distant one hundred feet southerly from the southerly line of Brattle street; thence running easterly continuously on a line distant one hundred feet, at right angles, from each and every point of the southerly line of said Brattle street, across Brattle square to the intersection of the southerly line of Mt. Auburn street with said Brattle square; thence northeasterly continuously along and bounded by the southerly line of Mt. Auburn street to Putnam square and the southerly boundary line of the first fire district above mentioned.

Fire limit
districts:
Broadway.

Fifth. Commencing at the intersection of the southerly line of Broadway with the westerly line of Sixth street and running continuously westerly therefrom on the southerly side of Broadway to Clark street and within the area included between the lines of private ownership adjacent to the southerly line of said Broadway and a line distant one hundred feet to the left at right angles from each and every point of said street lines of private ownership on the southerly side of Broadway, between said Sixth street and said Clark street.

Fire limit
districts:
Broadway.

Sixth. All that territory which is included between the following lines: Commencing at the intersection of the westerly line of Third street with the southerly line of Broad Canal; thence running continuously northwesterly along and bounded by the southerly line of said Broad Canal and the division line between Ward two and three to the southerly line of said Potter street; thence running continuously westerly along and bounded by the southerly line of said Potter street to the easterly line of Portland street; then running continuously southerly along and

bounded by said easterly line of Portland street to the northerly line of Broadway; thence running continuously easterly along across Mechanics' square and bounded by the northerly line of said Mechanics' square and said Broadway to the westerly line of said Third street; thence running continuously northerly along and bounded by the westerly line of said Third street to the point of beginning.

Seventh. All that territory which lies south and is bounded northerly by the second fire district, above described, and is included on all its other sides within and is bounded easterly, southerly and westerly by the following lines: Commencing at a point in the southerly limit of said second fire district on the westerly side of First street one hundred feet southerly from the southerly line of Cambridge street; thence running continuously southerly along and bounded by said westerly line of First street to the northerly line of Spring street; thence running continuously westerly along and bounded by said northerly line of said Spring street across said Third street to a point distant one hundred feet westerly from the westerly line of said Third street; thence running northerly continuously therefrom on a line distant one hundred feet to the left at right angles from each and every point of the street lines of private ownership on said westerly side of Third street to the southerly line of Cambridge street and the second fire district above described.

Fire limit districts:
First st.

Eighth. Starting from the westerly side of the location of the Fitchburg Railroad Company on Massachusetts avenue and running westerly continuously therefrom on both sides of Massachusetts avenue to Rindge avenue and within the area included between the lines of said Massachusetts avenue and a line distant one hundred feet to the right and left at right angles from each and every point of said street lines of private ownership on both sides of said Massachusetts avenue between the westerly side of said railroad location and said Rindge avenue as aforesaid.

Fire limit districts:
Mass. ave.

In this ordinance the titles Lafayette square, Central square, Putnam square, Quincy square and Harvard square, Lechmere square, Inman square, Kendall square and Smith square shall mean the respective areas included within the following boundaries, viz:

Lafayette Square.

Beginning at a point in the northerly line of Main street at its intersection with easterly line of Columbia street; thence southerly by a line at right angles to said line of Main street 70 feet to its intersection with the southerly line of Main street; thence westerly along the southerly line of Main street about 3 feet to the tangent point of a curve; thence westerly, southerly and east-

Fire limit districts:
Lafayette

erly along said curve of 18 feet radius about 46.2 feet to its other tangent point in the northeasterly line of Massachusetts avenue; thence southwesterly by a line at right angles to said line of Massachusetts avenue about 91 feet to its intersection with the southwesterly line of Massachusetts avenue; thence northwesterly along said southwesterly line of Massachusetts avenue about 202 feet; thence northeasterly by a line at right angles to the southwesterly line of Massachusetts avenue 103 feet to its intersection with the northeasterly line of said avenue; thence easterly along the northeasterly line of Massachusetts avenue and the northerly line of Main street about 179 feet to its intersection with the easterly line of Columbia street at the point of beginning.

Central Square.

Fire limit
districts:
Central sq.

Beginning at a point in the southwesterly line of Massachusetts avenue at its intersection with the southerly line of Western avenue; thence westerly along said southerly line about 124 feet to its intersection with the southeasterly line of Magazine street; thence southwesterly along said southeasterly line of Magazine street about 140 feet to its intersection with the southwesterly line of Green street; thence northwesterly along said southwesterly line of Green street about 227 feet to its intersection with the northerly line of Western avenue; thence easterly along said northerly line of Western avenue about 191 feet to its intersection with the northwesterly line of Central square; thence northwesterly along said northwesterly line of Central square about 191 feet to its intersection with the northeasterly line of Massachusetts avenue; thence southeasterly along said northeasterly line of Massachusetts avenue about 182 feet; thence southwesterly by a line at right angles to the northeasterly line of Massachusetts avenue about 103 feet to its intersection with the southwesterly line of Massachusetts avenue at the point of beginning.

Putnam Square.

Fire limit
districts:
Putnam sq.

Beginning at a point in the southwesterly line of Mt. Auburn street at its intersection with the westerly line of Putnam avenue; thence northerly along said line of Putnam avenue 92 feet to its intersection with the southwesterly line of Massachusetts avenue; thence northeasterly by a line at right angles to said line of Massachusetts avenue 62 feet to its intersection with the northeasterly line of Massachusetts avenue; thence southeasterly along said northeasterly line about 215 feet; thence southwesterly by a line at right angles to the southwesterly line of Massachusetts avenue about 66 feet to its intersection with said

southwesterly line; thence along the southwesterly line of Massachusetts avenue and Mt. Auburn street about 190 feet to its intersection with the westerly line of Putnam avenue at the point of beginning.

Quincy Square.

Beginning at a point in the northeasterly line of Harvard street at its intersection with the easterly line of Quincy street; thence southerly along said line of Quincy street about 211 feet to its intersection with the southwesterly line of Massachusetts avenue; thence northwesterly along said southwesterly line about 300 feet; thence northeasterly by a line at right angles to said southwesterly line about 85 feet to its intersection with the northeasterly line of Harvard street; thence southeasterly along said line of Harvard street about 198 feet to its intersection with the easterly line of Quincy street at the point of beginning.

Fire limit districts:
Quincy sq.

Harvard Square.

Beginning at a point in the northwesterly line of Massachusetts avenue at its intersection with the northerly line of Brattle street; thence in a generally northerly direction along said line of Massachusetts avenue about 552 feet; thence northeasterly by a line at right angles to the said line of Massachusetts avenue about 67 feet to its intersection with the northeasterly line of Massachusetts avenue; thence southerly, easterly and northerly by a curve line of 38 feet radius about 100 feet; thence easterly by a line at right angles to the westerly line of Peabody street 66 feet to its intersection with the easterly line of Peabody street; thence southerly along said easterly line about 433 feet; thence southerly and easterly by a curved line of varying radius about 188 feet; thence southwesterly about 88 feet to the intersection of the southwesterly line of Massachusetts avenue with the northeasterly line of Dunster street; thence northwesterly along the southwesterly line of Massachusetts avenue about 218 feet to its intersection with the northwesterly line of Massachusetts avenue; thence northeasterly along said northwesterly line about 40 feet to its intersection with the northerly line of Brattle street at the point of beginning.

Fire limit districts:
Harvard sq.

Lechmere Square.

Beginning at a point in the southerly line of Cambridge street at its intersection with the southwesterly line of Bridge street; thence westerly along said line of Cambridge street about 343 feet to its intersection with the northwesterly line of Lechmere square; thence northeasterly along said northwesterly line of Lechmere square about 219 feet to its intersection with the

Fire limit districts:
Lechmere sq.

northeasterly line of Bridge street; thence southeasterly along said northeasterly line of Bridge street about 318 feet, thence southwesterly by a line at right angles to the northeasterly line of Bridge street about 77 feet to its intersection with the southwesterly line of Bridge street at the point of beginning.

Inman Square.

Fire limit districts: Inman sq.

Beginning at a point in the southerly line of Cambridge street at its intersection with the northeasterly line of Hampshire street; thence southwesterly by a line at right angles to said line of Hampshire street 66 feet to its intersection with the southwesterly line of Hampshire street; thence northwesterly along said line of Hampshire street about 85 feet to its intersection with the southerly line of Cambridge street; thence westerly along said southerly line of Cambridge street about 121 feet; thence northerly by a line at right angle to said line of Cambridge street 66 feet to its intersection with the northerly line of Cambridge street, at the tangent point of a curve; thence easterly and northerly along said curve of 1275 feet radius about 315 feet to its other tangent point in the southwesterly line of Hampshire street; thence by a line at right angles to said line of Hampshire street 66 feet to its intersection with the northeasterly line of Hampshire street; thence southeasterly along said northeasterly line of Hampshire street about 120 feet to its intersection with the northerly line of Cambridge street; thence easterly along said northerly line of Cambridge street 92 feet; thence southwesterly across Cambridge street about 67 feet to the point of beginning.

Kendall Square.

Fire limit districts: Kendall sq.

Beginning at a point in the northeasterly line of Broadway at its intersection with the northwesterly line of Third street; thence southeasterly along said line of Broadway about 318 feet to its intersection with the northerly line of Main street; thence by a line at right angles to said northerly line of Main street 70 feet to its intersection with the southerly line of Main street; thence westerly along said southerly line of Main street about 380 feet to its intersection with the northwesterly line of Third street produced and extended southerly; thence northeasterly along said extension and northwesterly line of Third street about 218 feet to its intersection with the northeasterly line of Broadway, at the point of beginning.

Smith Square.

Fire limit districts: Smith sq.

Beginning at a point in the northeasterly line of Harvard street, at its intersection with the northwesterly line of Sixth

street; thence southeasterly along said line of Harvard street about 224 feet to its intersection with the northerly line of Main street; thence southerly by a line at right angles to said line of Main street 70 feet to its intersection with the southerly line of Main street; thence westerly along said southerly line about 223 feet; thence northerly by a line at right angles to said southerly line about 120 feet to its intersection with the southwesterly line of Harvard street; thence northeasterly by a line at right angles to said southwesterly line of Harvard street 50 feet to its intersection with the northeasterly line of Harvard street at the point of beginning.

SECT. 131. In this ordinance a building of the first class shall mean and be a building of non-inflammable material throughout, with floors constructed of iron or steel beams filled in between with terra cotta or other masonry arches, except that wood may be used for under and upper floors, window and door frames, sashes, doors, standing finish, hand rails for stairs, necessary sleepers bedded in concrete and for isolated furring blocks bedded in the plaster. There shall be no air space between the top of any floor arches and the floor boarding, and no air space behind any woodwork.

Buildings of the first class: Construction.

SECT. 132. Every building hereafter erected over seventy feet high shall be a first-class building, and this provision shall apply to all buildings hereafter increased in height to over seventy feet. Every building hereafter erected or enlarged as a hotel for the accommodation of guests and containing more than fifty rooms above the first floor shall be a first-class building.

Buildings of the first class: Height.

Capacity.

SECT. 133. A building of the second class shall mean and be a building not of the first class, the external and party walls of which shall be of brick, stone, iron or other equally substantial and incombustible material. A building of the third class shall mean and include only the following structures: Wharves, sheds on wharves, not exceeding twenty-five feet in height; sheds not exceeding twenty-five feet in height to be used and occupied solely for market purposes; temporary structures not exceeding twenty-five feet in height erected and used solely to facilitate the erection of other authorized buildings and structures; grain and coal elevators; and buildings to be used and occupied solely for the storage of coal, grain, and lumber.

Buildings of the second class.

Buildings of the third class.

SECT. 134. All the external parts of all structures included in the third class of buildings in the fire limits shall be wholly covered with slate, tile, metal or other equally incombustible material, and the mode of construction and location of all such structures shall be subject to and conditional upon the approval of the Superintendent.

Buildings of the third class; construction and location.

Removal of wooden buildings within fire limits.

SECT. 135. No wooden building, wall or structure shall be moved from place to place on the same lot or from one lot to another within the districts described in section one hundred and thirty of this Ordinance or from without said district into either of the same, except upon a license from the superintendent.

Erection or alteration of buildings within the fire limits.

SECT. 136. Hereafter within the districts described in section one hundred and thirty of this ordinance, except as is hereafter provided, no building, wall or structure shall be erected or altered, and no building, wall or structure, damaged by fire or other casualty, shall be repaired or restored to its former condition, and no work upon or in the erection of any such building, wall or structure which impairs the strength or increases the fire risk of any such or other wall, structure or building shall be done, except upon a license from the superintendent and in conformity with the provisions of this ordinance.

Provided, however, that any wooden building within said districts may be altered or repaired in the manner as provided in this ordinance in the construction of first and second-class buildings in the fire limits, and as may be approved by the superintendent.

Alteration of buildings within fire limits.

SECT. 137. Within the aforesaid districts, except as is provided in the preceding section, any alterations made in a structure shall conform to the provisions of this ordinance for a new structure, but if the alteration to be made is of such an extent as when done, in the opinion of the superintendent, to practically produce a new structure or impair the stability or increase the fire risk, then the entire structure shall be made to conform to the provisions of this ordinance for a new structure. A building damaged by fire or other casualty within said districts may be repaired or restored so as to conform to its original condition, or may be reconstructed in certain or all of its parts, so as to conform to the requirements of this ordinance for new buildings, as the superintendent may specify in his license.

Partition walls in brick buildings.

SECT. 138. Every brick building hereafter erected more than fifty feet in width, except schoolhouses, public buildings, dormitories of the first and second class, hotels, railroad stations and stables, shall have one or more brick or stone partition walls running from front to rear and carried up to the full height of the building; said walls may be four inches less in thickness than is called for by the provision hereinbefore made relating to the thickness of external walls for a brick building, unless the wall is used for a floor-bearing wall, in which case said walls shall be of the same thickness as is hereinbefore required for external walls of brick buildings. These walls shall be so located that the space between any two of the floor-bearing walls of the building shall be not over fifty feet.

SECT. 139. No alteration or repairs shall be made on any third-class building within the building fire limits without a permit from the superintendent, and no permit to increase the height or area of any such building shall be granted. No permit for the alteration or repair of a third-class building within the fire limits shall be granted if the amount of the outlay proposed exceeds fifty per cent of the cost of renewing the building; providing that within the district the superintendent may issue a license for raising buildings for the purpose of building underpinning and foundation where increased height will not exceed three feet.

Alteration, etc., of third-class buildings within fire limits.

SECT. 140. In this ordinance the following terms shall have the meanings respectively assigned to them :

Definition of terms.

“Alteration” means any change or addition.

“Apartment house” means a house divided up into set or suites of rooms.

“Cellar or basement” means the space or spaces below the level of the bottom of floor timbers of the first story.

“Chimney” shall apply to any permanent or fixed flues or passages built into any building for conveying away the products of combustion from furnaces, stoves, ranges or fireplaces.

“External wall” shall apply to that part of the outer wall of a building other than a party wall, above and other than the foundation wall.

“Foundation wall” means that portion of wall below the level of the street curb, and, where the wall is not on a street, that portion of the wall below the level of the highest ground next to the wall, but, if under party or partition walls, may be construed by the superintendent to mean that portion below the cellar floor.

“Family hotel” means a hotel arranged more especially for the convenience and comfort of families.

“Height of a building” means the vertical distance of the highest point of the roof above the highest grade of the street or ground at the principal point of the building, provided said grade of the ground is not below the grade of the street at said point.

“Lodging house” means a building in which persons are accommodated with sleeping apartments, and includes hotels and apartment houses where cooking is not done in the several apartments.

“Party wall” means every wall used, or built in order to be used, as a separation of two or more buildings.

“Partition wall” means any interior wall of masonry in a building.

“Public building” means any building or premises used as a place of public entertainment, institution, resort or assemblage.

“Repairs” means the reconstruction or renewal of any existing part of a building, or of its fixtures or appurtenances, by which the strength or fire risk is not affected or modified, and not made, in the opinion of the superintendent, for the purpose of converting the building in whole or in part to a new one.

“Schoolhouse” means any building or premises in which public or private instruction is afforded for not less than ten pupils at one time.

“Story of a building” means the space between the level of the bottom of the floor timbers to the level of the bottom of the floor timbers next above or below, and are numbered first, second and so on, starting from the street grade.

“Superintendent” wherever used in this ordinance shall be construed to mean superintendent of public buildings.

“Tenement house” means a building which, or any portion of which, is occupied or intended to be occupied as a dwelling by more than three families living independently of one another and doing their cooking upon the premises.

“Theatre” means a building or portion of a building in which it is designed to make a business of the presentation of dramatic, operatic or other performances or shows for the entertainment of spectators, and having a permanent stage for said performances which can be used for scenery and other stage appliances.

“Thickness of a wall” means minimum thickness of such wall.

Plumbers shall be registered.

SECT. 141. No person shall engage in or work at the business of plumbing in this city either as a master or employing plumber or as a journeyman plumber unless he shall have first personally registered his name and place of business in the office of the superintendent and shall have received a license or certificate in accordance with the provisions of this ordinance.

Notice of change.

Notice of any change in the place of business of a registered plumber shall be immediately given to the superintendent.

Definition of practical plumber.

The words “practical plumber” as used in this ordinance means a person who has learned the business of plumbing by working for at least two years either as an apprentice or under an agreement for instruction, and who has then worked for at least one year as a first-class journeyman plumber.

Journeyman.

The word “journeyman” as used in this ordinance, means one who personally does any work in plumbing which is subject to inspection under this ordinance.

Master, or employing plumber, etc., shall be registered.

SECT. 142. Every master or employing plumber and every journeyman plumber engaged in or working at the business of plumbing in this commonwealth prior to the tenth day of July, 1893, desiring and before proceeding to engage in or work at said business in this city, either as a master or employing plumber or

as a journeyman plumber, shall personally register his name and address at the office of the superintendent and shall state, after being sworn, where and how long he has been engaged in or has worked at said business, and whether as a master or employing plumber or as a journeyman plumber.

The superintendent, if satisfied that the person so registered was actually engaged in or working at said business prior to said date, shall thereupon issue to him a certificate setting forth that he was engaged in or working at the business of plumbing either as a master or employing plumber or as a journeyman plumber as the case may be, prior to the tenth day of July, 1893, and authorizing him to engage in or work at said business either as a master or employing plumber, or as a journeyman plumber.

Superintendent to issue certificate.

SECT. 143. Any person not engaged in or working at the business of plumbing prior to the tenth day of July, 1893, and desiring to engage in or work at the business of plumbing, either as a master or employing plumber or as a journeyman plumber in this city, shall apply to the superintendent, and shall, at such time and place as may be designated by the board of examiners hereinafter provided for, to whom such application shall be referred, be examined as to his qualifications for such business.

Examination of plumbers.

SECT. 144. In the case of a firm or corporation, the examination and licensing of any one member of the firm or the manager of the corporation shall satisfy the requirements of this ordinance.

Examination in case of a firm or corporation.

SECT. 145. There shall be in this city a board of examiners of plumbers, consisting of the chairman of the board of health and the superintendent, who shall be members *ex officio* of said board, and serve without compensation, and a third member, who shall be a practical plumber of at least five years' continued practical experience either as a master or as a journeyman during the years next preceding the date of appointment. Said third member shall be appointed by the board of health for the term of one year from the first day of May in the year of appointment, and thereafter annually before the first day of June, and shall be allowed a sum not exceeding five dollars for each day of actual service, to be paid from the city treasury.

Board of examiners of plumbers.

SECT. 146. Said board of examiners shall as soon as may be after the appointment of said third member, meet and organize by the selection of a chairman, and shall then designate the times and places for the examination of all applicants desiring to engage in or work at the business of plumbing. Said board shall examine said applicants as to their practical knowledge of plumbing, house drainage and plumbing ventilation, and if satisfied of the competency of the applicant, shall so certify to the

Organization of board of examiners.

Examination of applicants.

License for master or employing plumber.

superintendent, who shall thereupon issue a license to such applicant, authorizing him to engage in or work at the business of plumbing, either as master or employing plumber, or as a journeyman plumber. The fee for a license for a master or employing plumber shall be two dollars; for a journeyman plumber it shall be fifty cents. Said licenses shall be renewed annually upon the payment of a fee of fifty cents. A license issued by a board of health or superintendent having competent jurisdiction in some other locality within the commonwealth, may be renewed by the superintendent in case the person, firm or corporation to whom the license was issued removes from such jurisdiction and desires to engage in or work at the business of plumbing in this city.

Inspectors of plumbing.

SECT. 147. The superintendent shall appoint one or more inspectors of plumbing, who shall be practical plumbers of at least five years' continued practical experience either as masters or as journeymen during the years next preceding the date of appointment, and who shall hold office until removed by said superintendent for cause which must be shown. All such inspectors shall before appointment be subjected to an examination before the civil service commission. Said inspectors shall, under the direction of the superintendent, inspect all plumbing work for which permits are hereafter granted, in process of construction, alteration or repair; and shall report to said superintendent all violations of any law, ordinance or by-law relating to plumbing work, and also perform such other appropriate duties as may be required by the superintendent.

Duties.

Permit required before work can be done.

SECT. 148. No plumbing work shall be done except in the case of repair of leaks, without a permit being first issued therefor and approval of the same by the superintendent, and no such permit shall be issued unless and until the person, firm or corporation proposing to do the work shall file in the office of the superintendent upon blanks provided for the purpose, a notice and a particular description of the work to be performed.

Pipes, etc., for waste water.

SECT. 149. No pipes, tanks, faucets, valves or other fixtures by and through which waste water or sewage is used and carried, shall be placed in any building in the city except in accordance with plans which shall be approved by the superintendent.

Sewage to be conducted into common sewer.

SECT. 150. The owner of every building shall have its sewage conducted into and separately and independently connected with a common sewer whenever there is a common sewer near by in the street adjoining the premises upon which such building stands, or with a proper and sufficient drain connected thereto outside of the building, and if there is no such sewer accessible, into a proper cesspool. And whenever in the opinion of the

board of health it may be necessary as a health measure, upon its order, any drain and any connection with a common sewer, and any cesspool shall be reconstructed by such owner at his expense.

SECT. 151. Such portions of house drains as are outside of buildings, and are at a distance more than five feet beyond the foundation walls shall be constructed of iron or vitrified drain pipe.

House drains to be of iron.

SECT. 152. Such portions of house drains and connecting ventilating pipes as are within buildings, and also such portions as pass through the walls and for a distance therefrom of at least five feet shall be constructed of extra heavy cast-iron pipe, of the following weights :

House drains and ventilating pipes to be of cast-iron pipe.

- 2 inches, 5½ pounds.
- 3 inches, 9½ pounds.
- 4 inches, 13 pounds.
- 5 inches, 17 pounds.
- 6 inches, 20 pounds.
- 8 inches, 33½ pounds.
- 10 inches, 45 pounds.
- 12 inches, 54 pounds.

Lead pipes may be used, however, for the connections of wash bowls and bath tub wastes.

Lead pipes.

SECT. 153. Drain and connecting ventilating pipes shall be of sufficient size, and shall be properly secured by irons to walls, or laid in trenches to uniform grade, or suspended to floor timbers by strong iron hangers. Every drain pipe shall be provided with a running trap of a size not less than the internal diameter of the drain with heavy brass clean-outs and a "Y" branch with heavy brass clean-out on the sewer side of the trap, and shall have a proper fall. Drain pipes shall be carried above the roof, open and undiminished in size, and in a sufficient height, not less than two feet above the roof, and not less than five feet above the top of any window within fifteen feet. Changes in direction shall be made with curved pipes, and all connections with horizontal or vertical pipes shall be made with Y branches. All drain pipes and other fixtures shall be exposed to sight where practicable, within the building, and shall not be exposed to pressure where they pass through walls. Such pipes and other fixtures shall not be covered or concealed from view until approved by the superintendent, who shall examine the same within two working days after notice that they are ready for inspection.

Drain and connecting ventilating pipes.

Curved pipes and connections.

SECT. 154. Joints in iron soil pipes, drain and waste pipes shall be oakum packed, thoroughly calked with moulten lead

Joints in pipes.

and made tight. Joints in lead pipes shall be wiped solder joints unless otherwise permitted by the superintendent. Connections of iron and lead pipes shall be by means of brass calking nipples, and the lead shall be jointed to the brass by wiped joints, and the nipple shall be securely calked into the iron pipe or fitting. Wiped "cup" joints shall not be deemed wiped joints within the meaning of this section.

Waste pipes.

SECT. 155. The waste pipe of each and every sink, basin, bath tub, urinal, water-closet, slop-hopper, and of each set of trays or other fixtures, shall be furnished with a separate trap, which shall be placed within one foot of the fixtures served, except as hereinafter provided. One trap shall be permitted to serve for

Traps.

one set of wash trays and a sink, or one bath tub and a wash bowl, provided that the distance between the outlets of said fixtures is not greater than two feet, and the diameter of the trap is not less than four inches. Traps shall be protected from siphonage or air pressure by special cast iron pipes of a size not less than the waste pipes they serve placed outside or below the trap. Lead or galvanized wrought iron air pipes not less than one and one-half inches may be used only when they are exposed to view. Air pipes for water-closet traps shall be of two-inch bore, if thirty feet or less in length, and of three-inch bore, if more than thirty feet in length. Air pipes shall be run as direct as practicable. Two or more air pipes may be connected together with a drain pipe, but in every case of connection with a drain pipe such connection shall be above the upper fixtures of the building.

Air pipes.

Chimney or hot flue not to be used as ventilator.

SECT. 156. No chimney or hot flue or shaft constructed of sheet iron, brick or cement shall be used as a ventilator for a trap or drain pipe. Vent pipes shall be constructed of the same material, and in accordance with the provisions of the ordinance governing the construction of drain pipes, and no vent pipe shall be constructed or placed in such manner that it may become trapped or filled by water from condensation or otherwise.

Vent pipes.

Bow vents.

Bow vents shall be constructed to the satisfaction of the superintendent. The continuation of a soil pipe stack past an upper water-closet or any single isolated fixture shall be deemed to be trap ventilation if said fixture is within two feet of ventilation pipe stack.

Capacity of tank supplying water.

SECT. 157. Each water-closet and every line of water-closets on the same floor shall be supplied with water from a tank or cistern of a capacity not less than four gallons to each closet. This requirement shall not apply to water-closets substituted for privy vaults where they are outside of buildings, but such water-closets may receive their supply directly from the main, with

such fixtures as may be approved by the superintendent and the water board and board of health. No pan-closet shall be permitted, and no sluice vault or water-closet constructed of brick, cement or stone.

SECT. 158. Each water-closet and urinal in a new building other than a stable or building used for storage purposes, shall be locally vented into a hot chimney or flue when deemed practicable by the superintendent.

Water closet to be locally vented into hot chimney.

SECT. 159. Drip or overflow pipes from safes under water-closets and other fixtures or from tanks or cisterns, waste pipes from refrigerators or other receptacles where food is stored, shall not be connected with a drain, sewer pipe, soil pipe or other waste pipe, and shall be run to some place in open sight.

Overflow pipes, etc., not to connect with drain.

SECT. 160. No steam exhaust pipe shall be connected with a drain or sewer pipe, soil pipe or other waste pipe unless the exhaust pipe shall be provided with a sufficient condenser, and unless the exhaust pipe connects with such drain or sewer pipe, soil pipe or other waste pipe at a point between the running trap, required by section one hundred and fifty-two, and the sewer or cesspool.

Steam exhaust pipe.

SECT. 161. Water pipes in exposed places shall be properly protected from frost.

Protection from frost.

SECT. 162. Each drain water leader connected with soil or drain pipes, or a sewer shall be separately trapped, and every portion thereof within a building and every portion which passes through the wall and for a distance therefrom of at least one foot, shall be constructed of the same material and in the same manner as other drain pipes. They shall in no event be used to drain other than rain water. Leader traps shall be provided with heavy brass clean-outs. The main soil pipe stack may be used as a rain-water leader, provided it has a copper collar with a brass nipple soldered on and caulked to the iron pipe or fittings with oakum and molten lead, provided the ventilation pipes are carried independently through the roof and increased to three inches at this point.

Drain water leader.

Leader traps.

SECT. 163. No cellar bottom or area shall be connected with a public sewer only under such conditions as the superintendent shall in each particular case provide.

Cellar bottom not to connect with sewer.

SECT. 164. All drainage and ventilation pipes together with waste and ventilation lead branches, shall be given the water test, by the plumber in the presence of and approval in writing by an inspector of plumbing, and all leaking or otherwise defective work removed or repaired. Twenty-four hours' notice that the work is ready for test shall be sent to the office of the superintendent.

Water test.

Repairs to be submitted to water test.]

SECT. 165. Repairs upon soil or vent pipes consequent upon damage from fire, removal or other cause, shall, in the discretion of the superintendent, be submitted to the water test.

Pipes, etc., to be inspected.

SECT. 166. When the pipes, traps, local vents, etc., are in position and the work sufficiently advanced for inspection the plumber will so notify the superintendent, giving twenty-four hours' written notice, and no work shall be covered until the same is approved by an inspector of plumbing. All defective or work otherwise not in accordance with the city ordinances shall be removed.

Grease pipe.

SECT. 167. A grease trap shall be constructed under the sink of every hotel, eating house, restaurant or other public cooking establishment, so as to be easily accessible for inspection and cleaning.

Penalty.

SECT. 168. Any person violating any provision in the next twenty-seven preceding sections of this ordinance relative to plumbing shall be punished by a fine not exceeding fifty dollars for each and every violation thereof.

Revocation of license.

SECT. 169. The superintendent may also revoke the license of any person issued under this ordinance for any such violation, and may also forbid any person violating any provision of this ordinance and holding a license under the same, or from any other city or town, to engage in or work at the business of plumbing in this city for a period not exceeding one year. Any person engaging in or working at the business of plumbing after and while he has been forbidden so to do under this section shall be subject to a fine not exceeding one hundred dollars for every such offence.

Journeyman plumber.

SECT. 170. The next twenty-nine preceding sections of this ordinance relative to plumbing shall apply to all persons who are now or may be hereafter learning the business of plumbing when they are sent out to do the work of a journeyman plumber.

Inspector of plumbing.

SECT. 171. Any person now holding an appointment as inspector of plumbing may retain his position, and without further examination be deemed to have been appointed under this ordinance.

Penalty.

SECT. 172. Except in cases in which other provisions are made herein or by statutes, any person violating any provision of this ordinance shall be punished by a fine not exceeding one hundred dollars for each and every such offence.

Continuation previously existing ordinances.

SECT. 173. This ordinance, in so far as its provisions are the same in effect as those of previously existing ordinances, shall be construed as a continuation of those ordinances; it shall not affect any act done, any right accruing, any penalty incurred, any suit, prosecution or proceeding pending, or the tenure of

office of any person holding office at the time when it takes effect; but, subject to the aforesaid limitations, chapter thirteen of the revised ordinances of 1892, all ordinances amendatory thereof and supplementary thereto; the ordinances relating to fire limits and to the construction of buildings therein, approved respectively Dec. 5, 1894, June 21, 1895, and Sept. 25, 1895, all ordinances amendatory thereof and supplementary thereto; an ordinance relating to plumbing approved Nov. 23, 1893, all ordinances amendatory thereof and supplementary thereto; are all hereby repealed.

CHAPTER 14.

CITY ELECTRICAL DEPARTMENT.

City
Electrician.

SECTION 1. The city electrical department shall be under the charge of the city electrician.

Duties.
1890, c. 404, § 3.
1889, c. 398.

SECT. 2. The city electrician shall have supervision of every wire over, upon, through or under all streets and over buildings throughout the city; every wire within a building when such wire is designed to carry an electric light or power current; also of wires for the transmission of electricity for the purpose of heating or power; of all poles, conduits and other structures holding, supporting or containing such wires in streets and public places, except parks, commons, bridges or other public reservations. He shall inspect the condition of all poles, wires, conduits and cables, their attachments, insulations, supports and appliances.

Inspection of
wires, attach-
ments, etc.

SECT. 3. He shall require every person or corporation using, operating, or maintaining such fixtures to affix at the points of support, or to a suitable cross-arm at or to which any such wires or cables containing wires are attached, a tag or mark distinctly designating the owner or user of such poles, wires or cables except that any such tag or mark shall not be required for the poles, wires or cables of a street railway company used for the transmission of its motive power, nor used for the protection or support of such wires. Whenever any such poles, structures, attachments, insulations, supports or appliances are unsuitable or unsafe, or the tags or marks thereof are insufficient or illegible, he shall order any such person or corporation owning or operating the same to replace them with suitable and safe poles, structures, attachments, insulations, supports or appliances; to repair or remove any wire abandoned for use; every wire which shall be unprovided with a tag or mark, and every post, structure or other appliance not so provided; and if not replaced, repaired or removed forthwith, he shall thereupon proceed to replace, remove or repair the same at the expense of the owner thereof.

1889, c. 398.
1890, c. 404, § 3.

Wires to be
suitable and
strong.
1890, c. 404, § 1, 3.
1895, c. 228, § 1, 2.

SECT. 4. He shall require every person or corporation owning or operating a line of wires over, upon, through or under any streets or over any buildings throughout the city, to use only such wires as are suitable and strong; shall require such wires to be suitably and safely attached to strong and sufficient poles properly painted and insulated at all points of attachment; and

when a wire enters a building, and if such wire is other than a wire designed to carry an electric light or power current, shall cause to be attached to it at suitable and convenient points in the circuit calculating to prevent danger from fire, and near the place of entering a building, an appliance calculated to prevent at all times a current of electricity of such intensity or volume as to be capable of injuring electrical instruments or causing fire to enter the building by means of such wire, beyond the point at which such appliance is attached, and shall cause to be suitably insulated every wire within a building when such wire is designed to carry an electric light or power current.

1890, c. 404, § 1.

SECT. 5. In case of fire, or whenever the maintenance of any wire or wires may be a menace to life or property, he shall have authority to direct any corporation or person owning, leasing, operating or maintaining any wire or wires, to shut off the electric current therefrom for such a period of time as he may deem to be necessary, or to cause said wire or wires to be cut or removed without notice, and such wire or wires shall not be connected again or replaced without his approval.

Electric current to be shut off.

Wires to be cut in case of fire, etc.

SECT. 6. He shall inspect the construction, location and insulation of wires designed to carry electric light, heat or power current in buildings in process of construction or repair within the limits of the city and the connection of said wires with any electrical circuit. He shall see that all laws, orders, ordinances and regulations relative to wires and conduits, and pole or conduit locations, are strictly enforced.

Wires in buildings in process of construction.

Enforcement of laws, etc.

SECT. 7. He shall have supervision of the fire alarm telegraph, the police signal system, and all other electrical wires and wire systems now or hereafter owned by the city, except in public parks, bridges or other public reservations. He shall purchase wires, apparatus and machinery and all property and appliances connected with the fire alarm, police signal and lamp systems, which may be under his care and control, shall keep the same at all times in good working order, and shall erect, or cause to be erected, all electrical wires and appliances used in connection with said several systems and all electrical wires or lines owned by the city, except such wires or lines as may be under the care of the bridge, park or water works departments.

Supervision of municipal systems, purchase and erection of appliances.

SECT. 8. He shall have the care and oversight of all street lamps and the fixtures thereof throughout the city, and the erection of posts, lamps and fixtures connected and used with the same, except such lamps as may be located on bridges or in parks or other public reservations; shall contract for all materials, superintend the putting up of all posts, lamps and fixtures located by the city council; shall contract for all lights under

Street lamps.

Contract for lighting, etc.

his control; shall keep an accurate account of the number of lamps which burn gas, or other material, the cost of same, the number of men employed, the wages given, the kind, quality and cost of fixtures, the number of electric lights and the cost and the outages of the same, and all other expenses incurred in his department. He shall annually, in the month of December, present to the city council a report showing the detailed expenses, the value of the property on hand, the number, kind, quality and cost of lights used by the city, the outages of the same, and such other material facts as relate to the operation of his department.

Annual report.

Electric meters.

SECT. 9. He shall see that all meters for gas or electricity furnished to the city, other than to the bridge, park and water works departments, are in proper condition, and as often as may be necessary shall test the power of all lights furnished to the city, except to said bridge, park or water works departments; and shall see to it that in all particulars, the provisions of any contracts made are strictly performed.

Examinations and tests.

He shall make such examinations and tests, impart such information, and render such assistance as may be in his power to the bridge, park and water works departments whenever requested by said departments.

Placing, insulation, etc., of wires.

SECT. 10. All wires, appliances and apparatus in the interior of buildings or on private premises which are intended for the transmission of electricity and whether or not connected with an outside circuit shall be properly and safely constructed, placed, arranged, attached, insulated, covered, changed and maintained by the person or corporation using the same. Such person or corporation shall allow the city electrician at all reasonable times free access to such wires, appliances and apparatus, and shall notify said city electrician of any intention to construct, place, arrange, attach, insulate, change or maintain any such wires, appliances, and apparatus before they are covered or enclosed, or connected with any outside circuit.

Quality of appliances, etc.

SECT. 11. Every person or corporation owning, operating or leasing any poles, wires, ducts, conduits, manholes, electrical structures or appliances within the public ways of the city of Cambridge shall comply with all rules and requirements of the board of aldermen with respect to the quality of poles, wires, ducts, conduits, manholes, structures and other appliances and with all rules and requirements of said board with respect to their installation, removal and repair, and shall, at all reasonable times, give to the city electrician access to such poles, wires, ducts, conduits, manholes, structures, appliances and apparatus.

Attachment of wires to poles.

No line or wire shall be attached to any pole by means of

brackets or other side fixtures, nor shall the wires or lines of more than one party be placed on the same cross-arm.

No corporation or persons maintaining or operating a wire or line of wires for the transmission of electricity shall affix to or place upon any pole, structure, or fixture owned by it or them and now erected or that may be erected hereafter, any additional wire or wires, except upon a written permission of the city electrician.

Additional wires.

SECT. 12. No person or corporation shall permit any unused piece of coil or loose end of wire to be left on the surface of any public way or sidewalk, or attached to any cross-arm, pole or other structure.

Unused wire.

SECT. 13. Whenever the city electrician shall request, any person or corporation operating electric or other wires, poles, ducts, conduits or manholes upon, over, through or under any public way or over any building, shall, within fifteen days, furnish a plan, showing the number and location of its poles, the cross-arms on each, the number of wires or cables thereto attached, or contained therein, the particular locations of all its ducts, conduits and manholes, and the usage to which the respective ducts in said conduits are, and hereafter may be put, with specifications of the average volts charged and current used, the tested strength, the kind and number of lamps or motors connected with any electrical circuit, and other electrical appliances, and, in general, the method of installation, operation, maintenance and repair. Said plan shall be in form and size agreeable to the city electrician.

Detail plan to be furnished.

SECT. 14. No person except a police officer, fireman, or employee in the city electrical department in the discharge of his duties, shall open, attempt to open, or cause to be opened any of the police or fire alarm signal boxes, except in case of fire; no person shall interfere, tamper, or meddle with, break, cut, injure or deface any such boxes, any part or parts thereof, or anything connected therewith; and no person shall put any bill or placard upon such signal box, pole or structure.

Signal boxes 1888, c. 291, § 1.

SECT. 15. No person or corporation shall construct, erect, lay or maintain in any public way, any pole, duct, conduit, manhole or other structure to support or contain wires or lines for the transmission of intelligence by electricity or otherwise or for the purposes of light, heat and power, except by order of the board of aldermen previously obtained, in which the exact location of each shall be duly set forth.

No poles, conduits, etc., without order of board of aldermen. P. S. c. 139.

SECT. 16. No wire, line or apparatus used for the transmission of electricity for any purpose shall be attached by cross-arms or otherwise to any tree in any public way, except by consent in writing of the board of park commissioners previously obtained,

No wires to be attached without order.

Placards and bills.

nor shall any such wire, line or apparatus be attached as aforesaid to any public building, structure, or fixture of any kind, in any public way or grounds, except in public parks, bridges and other public reservations except by order of the board of aldermen previously obtained, in which order such building, structure or fixture shall be duly described; provided, however, that the aforesaid regulation shall not apply to wires, lines or apparatus owned or used by the city.

Acceptance of locations to be filed.

SECT. 17. Whenever permission shall be granted by the board of aldermen to erect and maintain poles, or to construct and maintain ducts, conduits, manholes or other fixtures in the public ways to support, hold or contain lines or wires for the transmission of electricity, the party to whom such permission is granted shall, within thirty days from the date of the order granting such permission, file in the office of the city clerk a written acceptance without reservation of the location of such poles, ducts, conduits, manholes or other fixtures and of all the conditions, terms and provisions contained in the order and the ordinances of the city and future amendments thereof, and agreeing to carry out, observe, perform and be subject to the same; and in default of such written acceptance and agreement, the permission and grant of location shall be void. Such grant and permission shall likewise be void and deemed revoked unless within six months after the date of the order the poles, ducts, conduits, manholes and other fixtures shall have been erected or constructed and completed; and, unless within six months after such completion, the electric lines shall be constructed and put in operation. Whenever the operation of the electric lines upon or in any location granted shall be discontinued for six months, the grant shall cease and be of no further effect.

Completion of work.
P. S., 109, § 3.

Location of poles in sidewalks.

SECT. 18. All poles in sidewalks shall be set upon the outer edge thereof, and, wherever there are curbstones, placed within four inches of the inner edge of the curbstones. Poles for telegraph, telephone, and electric light lines shall be of hard pine, square at the surface of the ground, and planed and chamfered. Poles for support of trolley, guard, span or feed wires of the street railway system shall be cylindrical iron poles, unless otherwise ordered by the board of aldermen.

Revocation of grants.

SECT. 19. All permissions granted by the board of aldermen to erect and maintain poles, or to construct ducts, conduits, manholes or other fixtures for electrical lines, in the public ways, may at any time be revoked by the board of aldermen, either in whole or in part, and the said board may order the removal of such poles, ducts, conduits, manholes, fixtures, wires and lines as it may deem necessary; and whenever any poles, ducts, con-

duits, manholes, fixtures, lines and wires are so ordered to be removed, such removal shall be done by and at the expense of the owner, in conformity with the order, within thirty days after notice, and, if not so removed, the board of aldermen may cause the removal to be done and the expense thereof to be repaid to the city by the owner.

SECT. 20. No person or corporation shall attach any wire or line for the transmission of electricity for any purpose, except the lines and wires owned or used by the city, to any pole already erected for the use of another corporation or person, except by consent of the owner and the order of the board of aldermen previously obtained, in which order such pole shall be duly described.

No wires to be attached without order of board of aldermen. 1884, c. 302, § 1.

SECT. 21. To all poles erected and maintained by any person or corporation under the provisions of this ordinance, the city may at any time attach wires for its own use.

SECT. 22. All petitions presented to the board of aldermen for permission to erect poles to support wires or lines or to construct conduits for the transmission of electricity for any purpose, shall be accompanied with, or contain a statement of, the exact location of each pole proposed to be erected, or conduit to be constructed, and shall be accompanied with duplicate plans showing said locations, said plans to be in form and size agreeable to the city clerk. A hearing upon every such petition shall be given to all parties interested. Notice of the filing of every such petition, and of the hearing thereon, shall be given by the petitioner or petitioners, to owners or occupants of the land along the public ways upon which locations are prayed for, which notice shall state briefly the public ways or the parts thereof to which such petition relates.

Petition for location of poles, etc.

Hearings to be given.

Notice to be served.

SECT. 23. The location of all poles, ducts, conduits or manholes erected or used by permission of the board of aldermen, to support or contain wires and lines for the transmission of electricity, shall be changed and altered whenever deemed necessary by said board by the owner or person using the same at his expense without any unnecessary delay, and if not so changed or altered, it shall be done by the city electrician at the expense of said owner or person.

Locations to be changed, when.

Expense of such change.

SECT. 24. Whenever the board of aldermen shall deem it proper, all persons or corporations, mentioned in section 11 of this ordinance, shall gather and place in aerial cable, lines and wires to the number of fifty or more in any public way, within such time, at such height and in such manner as said board may designate.

Wires to be put in aerial cable, when.

SECT. 25. No public way or bridge shall be torn up or disturbed for the purpose of laying, repairing, changing or removing

Streets, etc., not to be torn up without a license.

lines, wires, ducts, conduits or manholes, or erecting, altering or removing poles or other fixtures used for carrying electric lines or wires, without a license first obtained therefor. No formal license shall be necessary to sanction the temporary removal of covers to manholes for the purpose of removing or repairing lines, wires and cables. Whenever a manhole is opened, the person or corporation by whose authority the same is done shall place a suitable metallic guard rail around the opening, with a signal flag, at least one foot square, displayed therefrom.

Streets, etc., to be restored after opening, etc.

Whenever any opening or disturbance is made in any public way or bridge for any purpose, such public way or bridge shall be promptly restored by the person or corporation owning or operating the lines, wires, ducts, conduits, or manholes, or making such repairs, to a condition satisfactory to the superintendent of streets, and shall be kept and maintained in such condition by such person or corporation for two years thereafter; and, if not immediately so restored, kept and maintained, the same may be done by the city at the expense of such person or corporation.

Wires and conduits to be removed, when.

SECT. 26. Whenever the city shall construct, enlarge, relocate, repair, or alter the streets, sewers, water pipes or other public works, in streets, ways and bridges where conduits and wires are laid, which in the opinion of the board of aldermen may require the removing or changing the location of said conduits and the fixtures appertaining thereto, or the repairing thereof, said removing, changing and repair shall be done without delay at the expense of the person or corporation owning or operating the same.

Not to be removed, etc., without permission.

SECT. 27. Whenever underground conduits have once been laid in the streets and ways of the city, they shall not be removed, relocated or changed, without permission from the board of aldermen.

City to have space in underground conduits.

SECT. 28. In all underground conduits and manholes sufficient and necessary space shall be reserved, free of expense, for wires belonging to or to be used by the city, and said conduits shall at all times be accessible to the city for the purpose of putting in, taking out and repairing its wires.

Bond to be given.

SECT. 29. Every person or corporation constructing, maintaining or operating a telegraphic, telephonic, or other electrical line in the city, shall execute a bond, with satisfactory surety, in a penal sum of not less than ten thousand dollars, and of form satisfactory to the city solicitor, conditioned to indemnify and save harmless the city against all damages, costs, expenses and losses whatsoever, to which it may be subjected in consequence of the acts and neglects of such person and corporation, their agents, officers and servants, and any and all persons acting by,

Condition of bond.

through, or under such person or corporation, and in any manner arising from, or growing out of the use and transmission of electricity, the privileges permitted by the city, and the construction, maintenance, operation, and use of lines, wires, cables, conduits, poles, structures, constructions, fixtures and apparatus; and also, to fulfil all their agreements with the city, all the orders, conditions and obligations imposed by the board of aldermen, and all obligations and duties required by law, and by this chapter and every other ordinance, and all additions and amendments relating thereto.

A new bond of like import, and with new surety, may at any time be required by the city, which new bond shall be a strengthening bond, unless the surety on former bonds is expressly released from further liability by vote of the board of aldermen.

New bond may be required.

SECT. 30. All locations hereafter granted shall be subject to the condition that any person or corporation to whom locations shall be granted, shall give any other person or corporation permission to use its poles, ducts, conduits, manholes or other electrical appliances or apparatus whenever ordered so to do by the board of aldermen on payment of a reasonable rental.

Use of poles, etc., by other corporations.

SECT. 31. Except as otherwise provided by law, any person violating any provision of this chapter shall be subject to a penalty of not exceeding twenty dollars for each and every offence.

Penalty.

SECT. 32. This ordinance, so far as its provisions are the same in effect as those of previously existing ordinances, shall be construed as a continuation of those ordinances; it shall not affect any act done, any right accruing, any penalty incurred or any suit, prosecution, or proceeding pending. Subject to the aforesaid limitations, chapters 14 and 16 of the revised ordinances of 1892, all ordinances amendatory thereof, and supplementary thereto, are hereby repealed.

Continuation of previously existing ordinances.

Provided, however, that the tenure of office of the inspector of wires and of the superintendent of lamps shall continue until the appointment and confirmation of the city electrician, (and that until such appointment and confirmation said inspector of wires and superintendent of lamps shall have all the powers, perform all the duties and be subject to all the responsibilities of said city electrician, as defined in this ordinance).

Tenure of office of inspector of wires.

CHAPTER 15.

INSPECTION OF MILK AND VINEGAR.

Inspection of
milk and
vinegar
department to
be in charge of
the inspector
of milk and
vinegar.
P. S. c. 67.
P. S. c. 60, § 71.

His term of
office.

Duties.

Annual report.

SECTION 1. The inspection of milk and vinegar department shall be in charge of the inspector of milk and vinegar, who shall hold his office for the term of one year from the first Monday of January in the year of his appointment. He shall be sworn to the faithful performance of the duties of the office of inspector of milk, and of inspector of vinegar; and shall have and exercise all the power and authority, and be subject to all the duties and limitations, which the statute imposes upon and requires of inspectors of milk, and inspectors of vinegar.

SECT. 2. He shall annually, in the month of December, make a full report of all matters pertaining to his department, with an inventory of all the apparatus and property of the city belonging thereto, which shall be in his charge.



¹CHAPTER 16.

INSPECTION OF PROVISIONS AND OF ANIMALS INTENDED FOR
SLAUGHTER OR KEPT FOR THE PRODUCTION OF MILK.

SECTION 1. The department of the inspection of provisions and of animals intended for slaughter or kept for the production of milk shall be under the charge of the inspector of provisions and animals intended for slaughter or kept for the production of milk. He shall be a skilled veterinary physician, shall be sworn to discharge faithfully the duties of his office, and shall hold his office for the term of one year from the first day of May in the year of his appointment, subject to removal at any time by the mayor and aldermen.

Inspection of provisions, and of animals department to be in charge of.

Term of office.

SECT. 2. In addition to the duties required of him by the public statutes, and acts in amendment thereof, he shall professionally visit, attend and treat, whenever necessary or whenever requested by the mayor, any and all of the horses owned by the city in the several departments thereof, and shall physically examine and report upon all horses offered for sale to said city.

Duties.

SECT. 3. He shall annually, in the month of December, and whenever requested by the mayor and city council, make a full and detailed report of all matters pertaining to his department, with such suggestions as he may deem proper.

Annual report.

¹ Chapter 16 of the revised ordinances of 1892, being the ordinance in relation to lamps, was repealed Oct. 24, 1899; said ordinance being included in ordinance in relation to City Electrical Department approved Oct. 24, 1899.

CHAPTER 17.

LAW.

Law department to be in charge of the city solicitor. Stat. 1891, c. 364, § 20.

Term of office.

Vacancy.

He shall draft all legal instruments.

Shall prosecute all actions for the city.

Shall defend the city in all actions.

Shall represent the city before legislative committees.

Shall furnish legal opinions, etc.

SECTION 1. The law department shall be in charge of the city solicitor, who shall be a citizen of Cambridge and an attorney and counsellor of the courts of the commonwealth, and who shall hold no other office under the city government during the period for which he is elected. He shall hold his office for one year from the first Monday of May in the year in which he is elected, and until his successor is elected and qualified, unless sooner removed; and he shall be removable at the pleasure of the city council. A vacancy may be filled at any time for the unexpired term.

SECT. 2. He shall by himself, or by some person by him duly authorized, for whose conduct, skill and faithfulness he shall be accountable, draft all legal instruments, of whatever nature, which may be required of him by any ordinance, or order of the board of aldermen or of the city council, or which may be requisite to be done and made by the city and any person contracting with the city, and which, by law, usage or agreement, the city is to be at the expense of drawing.

SECT. 3. He shall commence and prosecute all actions and suits to be commenced by the city, before any tribunal in this commonwealth, whether in law or equity, and also appear in, defend and advocate the rights and interests of the city, or any of the officers of the city, in any suit or prosecution, for any act or omission in the discharge of their official duties, wherein any estate, right, privilege, ordinance or act of the city government, or any breach of any ordinance, may be brought in question. He shall also appear before the legislature of the commonwealth, or any committee thereof, and there, in behalf of the city, represent, answer for, defend and advocate the interests and welfare of the city, whenever the same may be directly or incidentally affected. He shall, in all matters, do every professional act incident to the office, which may be required of him by the city government, or by any committee thereof, or by any ordinance or order. He shall furnish legal opinions on such subjects or questions as may be submitted to him by the mayor, the board of aldermen, the common council or the school committee; by any committee of the city council, or either branch thereof, or any sub-committee

of the school committee or by any board or department of the city government who may require advice in regard to the discharge of their duties.

SECT. 4. He shall receive such salary as the city council may determine. In all cases when his attendance is required out of the city, his reasonable travelling expenses shall be allowed him.

Salary.
Travelling
expenses, etc.

CHAPTER 18.

OVERSEERS OF THE POOR.

Overseers of the poor department to be in charge of the overseers of the poor. 1891, c. 364, § 21.

Election of vacancies.

To have charge of almshouse and other property. P. S. c. 84.

SECTION 1. The overseers of the poor department shall be under the charge of the board of overseers of the poor consisting of five persons, one of whom shall be elected annually by the city council in joint convention in the month of March, for the term of five years beginning the first Monday in May of that year. Vacancies may be filled for the unexpired term in the same manner.

SECT. 2. The board shall have charge of the almshouse and may make and enforce all such rules and regulations as they deem expedient in relation thereto. They shall preserve all books, papers, property, evidences of property, vouchers and other things intrusted to, kept by or deposited with them.

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¹ Sections 3 to 8 inclusive repealed Oct. 22, 1896.

CHAPTER 19.

PARK.

SECTION 1. The park department shall be under the charge of a board of three persons, to be styled park commissioners, who shall be appointed by the mayor, subject to the confirmation of the board of aldermen, and they shall hold their offices until the expiration of terms of one, two and three years respectively, from the first day of May, 1893. The mayor shall, subject to like confirmation, before the first day of May in each year after the year 1893, appoint a commissioner to continue in office for the term of three years from said day. No person shall be a commissioner who is at the same time a member of the city council. Any vacancy occurring in the said board shall be filled for the residue of the term of the commissioner whose place is to be filled, in the same manner in which such commissioner was originally appointed. Said commissioners shall, in addition to the above term, hold office until others are appointed in their respective places.

Park department to be under charge of park commissioners.

Term of office.

Vacancy.

SECT. 2. The president of the park commissioners shall be elected by the board, and shall be one of the persons appointed as provided in the first section of this chapter. The board may make such rules and regulations for its own government, and in relation to its officers, as may be deemed expedient.

President elected by the commissioners.

Rules and regulations.

SECT. 3. The board so constituted shall have and exercise all the rights, powers, and authority given to it and to the city council by the legislature, by the three hundred and forty-first chapter of the acts of the year eighteen hundred and ninety-two, and by the three hundred and thirty-seventh chapter of the acts of the year eighteen hundred and ninety-three, and by any acts in addition to either of said acts which may hereafter be enacted, so far as the same can be legally delegated by the city, subject to all the duties, liabilities, and restrictions in said last named chapter contained. Said commissioners may in their discretion annually appoint a superintendent, a clerk, and all other subordinate agents and assistants, who shall be removable at their pleasure, and shall fix their compensation subject to the approval of the committee on finance.

Shall exercise all rights, etc., given by legislature.

Commissioners to appoint superintendent, etc.

SECT. 4. The board, on or before the fifteenth day of December in each year, shall present to the city council a report containing a statement of the condition of all the parks and lands under its control or supervision, and of other property connected

Annual report.

therewith, with an account of all receipts and expenditures, together with any information or suggestions which it may deem important; and if a superintendent has been appointed, it shall at the same time transmit to the city council his report.

Sale of personal property.

SECT. 5. The board may sell such of the personal property connected with said parks or lands as it may deem expedient, subject to the approval of the mayor.

Duties of president.

SECT. 6. The president of the board shall exercise a general supervision over all said parks and lands, and the materials and property connected therewith, and over all subordinate officers and agents. In case of his absence or disability, his duties may be performed by a president pro tempore, to be chosen by the board.

No member of the board to be interested in any contract, etc.

SECT. 7. No member of the board, and no person appointed to any office or employed by virtue of this chapter or of the acts of the legislature mentioned in the third section of this chapter, shall be interested, directly or indirectly, in any contract, bargain, sale, or agreement, in relation to said parks or lands, or any matter or thing connected therewith, wherein the city is interested; and any and all contracts, bargains, sales or agreements, made in violation of this section, shall be void as to the city.

Duties of superintendent.

SECT. 8. The superintendent shall perform all such services in relation to the trees in the public streets and ¹said parks and lands as may be required of him by the board, and he shall annually, during the first week of December, present to the board a report of the general condition of said parks and lands.

City engineer to perform all work within province of civil engineer.

SECT. 9. The board may require the city engineer, either by himself or by his assistants, to perform all work which properly comes within the province and under the direction of a civil engineer, including the making of examinations and surveys, the preparation of statements, plans, profiles, estimates, descriptions, specifications and contracts, and the measuring of the work done by contract and certifying to the results of such measurement.

To have the care of commons, etc., not under general care of water board.

SECT. 10. The park commissioners, in addition to the general care and charge of parks and public grounds imposed upon them by the foregoing provisions, shall have the general care and charge of all the other commons, public grounds, and enclosures now belonging, and as the same may hereafter belong to the city, and not under the general care of the water board.

To have the care of all trees.

SECT. 11. The park commissioners shall have the care of the trees in the public streets. They shall cause all statutes and ordinances made for the protection of said trees, the commons, and other public grounds and enclosures not under the general care and charge of the water board, to be strictly enforced, and shall institute legal proceedings against all persons violating such statutes and ordinances.

CHAPTER 20.

POLICE.

SECTION 1. The police department shall be under the charge of the chief of police, who shall hold his office during the pleasure of the mayor and aldermen. He shall have, under the direction of the mayor, the care and custody of the patrol wagons,¹ emergency ambulances, police vans and other vehicles, harnesses and horses used by the police force, and all the furniture and other property of the city at the several police stations, except that the apparatus of the police signal system shall be under the supervision of the inspector of wires. The chief of police shall also have the charge of all the police stations.

Police department to be in charge of the chief of police.

His term of office.
P. S. c. 27, § 85.
1891, c. 364,
§§ 9, 10.

Duties.

SECT. 2. The chief of police shall keep a correct and complete record of the business of the department, and shall make such reports to the mayor from time to time, as he shall require, concerning all matters relating to the police department, and to the property of the city used by the police force.

Shall keep a record and report to the mayor.

¹ SECT. 3. The chief of police shall within the city limits direct and control the transportation of all injured persons who require immediate care, relief and assistance,² and shall respond to all calls made upon him, for the use of the emergency ambulance, by the overseers of the poor for all cases except cases of contagious disease.

Shall direct and control the transportation of all injured persons.

Emergency ambulance.

SECT. 4. The chief of police shall employ suitable persons to assist, and shall provide and contract, under the ordinances, for suitable materials, appliances, and means to carry out and accomplish the provisions of this ordinance, and shall be responsible for the faithful and complete execution of the same.

Employment of assistance.

¹ SECT. 5. The chief of police shall make a report to the city council annually, in the month of December, of all the receipts and expenditures of his department, the organization and efficiency of the force, and an itemized statement of all the materials, tools and property of every kind belonging to the city, on hand December first, with their estimated value. He shall also at the same time make a return of the fees and perquisites received by him and other members of the police force.

Annual report.

Shall report fees.

¹ Amended July 15, 1896.

² Amended Dec. 30, 1896.

CHAPTER 21.

PUBLIC LIBRARY.

Public library department to be in charge of trustees.
P. S. c. 40,
§§ 9, 10, 11.

SECTION 1. The public library department shall be under the charge of a board of seven trustees, to consist of one member of the school committee and six citizens at large to be chosen as hereinafter provided.

Trustees.
Appointment of.

SECT. 2. There shall be appointed by the mayor subject to confirmation by the board of aldermen, annually, in the month of January, or whenever a vacancy may occur, one member of the school committee, to serve as trustee for the municipal year.

Vacancy.

Also in January, of each year, two citizens at large shall be appointed by the mayor, subject to confirmation by the board of aldermen, as trustees as aforesaid, to hold office for the term of three years from the third Monday of January of the year in which they are appointed, and in case of a vacancy, for the unexpired portion of the term.

Trustees may elect a chairman and secretary.

SECT. 3. Said trustees may elect from their number a chairman and secretary, and four members of the board shall constitute a quorum for the transaction of business: they shall choose annually, in the month of January, a suitable person to be librarian, who shall be removable at the pleasure of the board, and shall receive such compensation as the trustees may determine.

Quorum.

Shall choose a librarian.

Trustees may expend moneys, establish fees and make by-laws.

SECT. 4. The trustees shall expend all moneys presented to the library, or appropriated by the city council, for the purchase of books, the improvement of the library, its care, custody, maintenance for usefulness, and its preservation, and the care and repairs of the building. They may establish such fees for the use of the library, and shall make and publish needful by-laws and regulations, to extend the benefits of the institution as widely as practicable throughout the community. All moneys received for the use of the library shall be paid quarterly into the city treasury.

All fees to be paid into the treasury.

Annual report of trustees.

SECT. 5. The trustees shall present to the city council annually, in the month of December, a report of their proceedings, and a statement of the condition of the library, the number of books added during the year, with an accurate account of all receipts and expenditures, together with any other information or suggestions which they may deem desirable.

Money. how paid on account of library.

SECT. 6. No money shall be paid from the city treasury on account of the library, except by order of the trustees, and in pursuance of an order signed by the mayor; and in no case shall the amount drawn exceed the amount appropriated for the library.

CHAPTER 22.

SEALER OF WEIGHTS AND MEASURES.

SECTION 1. The sealer of weights and measures department shall be under the charge of the sealer of weights and measures, who shall hold his office for the term of one year from the first day of April in the year of his appointment, subject to removal at any time by the mayor and aldermen.

Sealer of weights and measures department to be in charge of the sealer of weights and measures. P. S. c. 65, §§ 8 to 25.

SECT. 2. He shall have general control and supervision of all the public scales of the city, and annually, in the month of December, he shall make a full report of all matters pertaining to his department, with an inventory of all the property of the city in his charge.

His duties. Annual report.

CHAPTER 23.

SEWER.

Sewer department to be in charge of the city engineer.

Common sewer defined. P. S. c. 50, § 1. S. 1890, c. 124.

Laying of pipes, etc., not to interfere with sewer.

Pipes, etc., interfering with sewer, to be removed by owner.

City engineer and superintendent of water-works to consult.

Superintendent of sewers to be appointed.

His term of office.

SECTION. 1. The sewer department shall be under the charge of the city engineer. In any street opened, or proposed to be opened, for public travel and accommodation, every sewer or drain laid for the purpose of draining more than one estate, shall be deemed to be a common sewer, and no such common sewer shall be laid or connected with any existing common sewer except by the city, as provided in section three of this chapter.

SECT. 2. Whenever any street is opened for the laying of pipes for water, gas or other purposes, or for the prosecution of any work of construction, such laying of pipes and the work connected therewith, or such work of construction, shall be so executed as not to obstruct, in any way, the course, capacity or construction of a common sewer, and whenever pipes for any purpose, or any work of construction, are found to exist at such a depth or in such location as to interfere with any existing sewer, or with the building of any common sewer of the required size, and at the proper depth and grades, the department, corporation or person maintaining the same, shall, upon notice thereof, at once remove, change or alter said pipe or pipes or other works, in such a manner as the city engineer may direct. If such department, corporation or person neglects to comply immediately with the terms of such notification, the city engineer may make such removal, change or alteration, and the cost thereof shall be paid by such department, corporation or person.

Provided, that whenever any sewer is to be constructed, or any water pipe to be laid, in any street or way, the city engineer and superintendent of water works shall consult with each other in regard to the location of any existing pipes.

SECT. 3. The city engineer shall have the general superintendence of all common sewers built or owned by the city, and of all connections built under the provisions of this chapter; and he shall annually, in the month of June, appoint some competent person to take charge of such work of building, repairing and keeping the same in order, as may be required by the city engineer, to whom he shall be subordinate. The person so appointed shall be styled "the superintendent of sewers," shall hold office for one year from the time of his appointment, or until his successor is chosen, and receive such compensation

as the board of aldermen may determine. Whenever the office of superintendent of sewers becomes vacant it shall be filled in like manner.

Vacancy.

SECT. 4. The city engineer shall make and file in his office, accurate plans of all common sewers, showing all entrances thereto, when made as hereinafter provided. He shall have constant care of, and keep clean and in proper order and repair, all street catch-basins and connecting drains within the limits of any street: *provided*, however, that the superintendent of streets shall keep the entrances to the catch-basins open and clear of ice in cold weather, so as to permit the flow of surface water into them.

Plans of sewers.

Catch-basins.

SECT. 5. He shall keep, and whenever requested, report to either branch of the city council, an accurate account of the cost and all other expenses upon each common sewer: and he shall annually, in December, submit a report of all work performed in the sewer department during the year, the property under his charge, including the total length and original cost of existing sewers, and the amount of all expenditures from the appropriation for sewers.

Shall keep an accurate account of the cost of each sewer.

Annual report.

SECT. 6. Three-fourths of the average cost of a system of sewers, already determined and found to equal two dollars per running foot, shall be assessed according to law: *provided*, that no estate shall be assessed until it can be drained into the sewer; and no estate shall be assessed more than once for the same benefit. The remainder of the cost of such sewers shall be borne by the city.

Amount to be assessed upon abutters.
P. S. c. 50,
§§ 4, 11.
S. 1886, c. 210.

SECT. 7. The city engineer shall prepare and submit to the board of aldermen plans of the estates to be assessed, showing the owners' names, frontages and areas, together with a schedule showing the assessment on the estates abutting and benefited. Such assessment to be determined as follows: four-tenths of the benefit according to the relative frontage, and six-tenths according to the area of the estates, within one hundred feet of the street in which the common sewer has been constructed; the area of corner lots being measured to the line bisecting the angle formed by the lines of the streets. The said four-tenths having been ascertained to be twenty-eight cents per front foot, and the said six-tenths having been ascertained to be five and two-tenths mills per square foot, said sums are hereby adopted as the standard rate of assessment.

City engineer shall prepare plans of estates to be assessed.

Method of determining assessment.
P. S. c. 50, § 7.

Standard rate.

SECT. 8. The amounts assessed and certified by the board of aldermen shall be entered upon the plan prepared for assessment.

Amounts assessed to be entered on plan.

SECT. 9. Annually, in the month of January, and at other

Drain layers. times whenever necessary, the city engineer shall license such drain layers as apply, and are found competent, who alone shall be authorized to make all openings or excavations in any street for the purpose of constructing and repairing private drains, and who shall construct all entrances into the common sewers. Such persons shall hold their license for one year, unless sooner revoked by the city engineer. No such private drain, if of vitrified pipe, shall be laid of a less size than six inches interior diameter, and if of iron, it shall be not less than five inches internal diameter, and of extra heavy pipe, and the work shall be done as directed by the city engineer.

Size of private drains.

Drain layers to give bond.

Conditions of bond.

SECT. 10. Every person licensed as provided in the preceding section shall, before performing any work authorized thereby, execute a bond to the city in the sum of two thousand dollars, with two good and sufficient sureties, to be approved by the city engineer conditioned that he shall comply with the terms of the permit under which entrance is made; that he will cause the excavation to be properly fenced during the whole time the street is obstructed; that he will, when necessary, maintain one or more lighted lanterns in a conspicuous place over such obstruction from twilight in the evening and through the whole night; that he will properly make all entrances to the sewers, and will leave no obstruction of any description in the sewer which he may open; that he will properly close the excavation, restore the earth and pavements taken up, and re-grade and re-pave that part of the street which has been excavated, and keep it in a good and satisfactory condition for a period of one year thereafter, and that if he fails to do so, the street may be repaired by the street department and the expense thereof charged to him; and that he will repay the city such expense, and that he will indemnify and hold harmless the city from any damage or cost to which it may be put by reason of injuries resulting to any one from neglect or carelessness in making or repairing such drain, or in properly fencing or lighting any excavation or obstruction, or in performing any other work connected therewith.

No private drain shall be entered into sewer without permit.

SECT. 11. No private drain shall be entered into any common sewer, or into any private drain connected with any common sewer, without a permit in writing from the city engineer; and on the completion of the work, the permit shall be returned to the office of the city engineer, indorsed by the layer of the drain, with a statement of his proceedings thereunder. The city engineer is authorized to grant such permits for estates which abut on the sewer into which an entrance is desired. Each permit shall be subject to the provisions of this chapter, and shall state in detail the premises to which it applies, and the time,

place, manner and construction of such entrance. Each permit may, at the discretion of the city engineer, be subject to the condition that such entrance be made in the presence of any inspector appointed by the city engineer. No private drain from any estate or part of an estate not already assessed, or not liable to assessment for the cost of the sewer, shall be entered into such sewer, except by the consent of the board of aldermen.

Permit may be subject to conditions.

SECT. 12. The city engineer, under the direction of the board of health, is authorized to permit, under such restrictions as said board may deem expedient, the construction of sufficient passage ways or conduits under ground for the purpose of conveying the liquid contents of any vault into any common sewer.

City engineer authorized to permit, under direction of the board of health, conduits from any vault to a sewer.

SECT. 13. No drain connecting with a common sewer, subject to the action of tide-water, shall be constructed without a plug or clapper to prevent completely the reflux of drainage matter, and storm or tide-waters.

Plug, etc., to prevent reflux of tide water.

SECT. 14. All drains not now built in accordance with the requirements herein, shall be reconstructed so as to conform thereto, whenever, in the opinion of the board of aldermen, it may be necessary.

Drains shall be reconstructed, etc.

SECT. 15. No exhaust from a steam-engine and no blow-off from a steam boiler, shall be connected with any common sewer or private drain.

Exhausts from steam engines.

SECT. 16. Whoever cuts into, interferes with or obstructs a common sewer, or enters a private drain therein, except as herein provided, or places or deposits in any street catch-basin any animal or vegetable matter, solid or liquid, or any other filthy substance, or violates any of the provisions of this chapter, shall be liable to a penalty of not less than one dollar, and not more than twenty dollars.

Penalty for interfering with or obstructing a sewer.

SECT. 17. Plans and descriptions of all common sewers belonging to the city, with a true record of the charges for making and repairing the same, and all assessments therefor, shall be kept in the rooms occupied by the city engineer. Said rooms shall be, for the purposes of this chapter, a part of the office of the city clerk.

Plans of sewers, where to be kept. P. S. c. 50, § 14.

CHAPTER 24.

SINKING FUND.

Sinking fund department to be in charge of the commissioners of the sinking funds. How chosen. P. S. c. 23, § 10. 1891, c. 264, § 9.

Vacancy.

No member of city council to be appointed.

Duties. P. S. c. 23, § 10, 11.

Loans for what time negotiated. P. S. c. 29, § 8. S. 1882, c. 155.

Bonds to state for what purpose issued.

Amount of appropriation for sinking funds. P. S. c. 29, § 9.

SECTION 1. The sinking fund department shall be under the charge of a board of six commissioners to be styled commissioners of the sinking funds, two of whom shall be appointed in the month of April of each year by the mayor, subject to confirmation by the board of aldermen, to hold their office for the term of three years from the first Wednesday of the May following their appointment. A vacancy in said board may be filled for the unexpired term at any time in the manner provided for the original appointment. No member of the city council shall be a member of such board.

SECT. 2. The commissioners of the sinking funds shall have the care and control of all funds created for the payment or redemption of the city debt, except those pertaining to the water loan. They shall receive all moneys paid to them on account of the sinking funds, and shall invest the same in some safe manner for the benefit of the sinking funds.

SECT. 3. All loans for public buildings and lands therefor, for constructing and improving bridges except for Harvard bridge, for taking, raising and improving low lands, for laying out and paving streets, purchasing public lands and widening streets,¹ other than for park and water purposes shall be negotiated for ten years,¹ or for such other periods of time as may hereafter be authorized. All loans for constructing sewers shall be negotiated for not exceeding twenty years. The Harvard bridge loan shall be negotiated for not exceeding thirty years. ¹All other loans for park and other purposes now and that may hereafter be authorized shall be negotiated for such periods of time as shall not exceed the time or times designated respectively in the act or acts authorizing the same. Bonds issued for all loans shall bear upon their face the purpose for which they were issued.

For sinking funds to redeem at maturity such several authorized loans of the city, there shall be annually appropriated and raised by taxation, on account of loans made for ten years, a sum equal to eight and one-half per cent thereof; on account of loans made for twenty years, a sum equal to three and one-half per cent thereof; and on account of ¹ any such loans and any and all

¹ Amended March 7, 1894.

other loans that are now and may hereafter be made for thirty years, a sum equal to two per cent thereof; ¹ and on account of loans that may hereafter be made for forty years, a sum equal to one and one-eighth per cent thereof; and all amounts so raised by taxation shall annually, on or before the thirtieth day of November, be paid by the city treasurer to such board. And whenever any payment is so made before the thirtieth day of November, interest shall be paid thereon, by the commissioners of the sinking funds, from the time of said payment until said thirtieth day of November, at such rates as the committee on finance shall, from time to time, determine.

When to be paid.
P. S. c. 29, § 11.

SECT. 4. The board shall, at the close of each financial year, certify to the auditor the amounts hereunder required to be raised by taxation for the several funds, which amounts shall be put into the yearly appropriation the next succeeding year.

Board to certify amounts required.
P. S. c. 29, § 9.

SECT. 5. When a debt to be paid from a sinking fund becomes due, the board shall furnish the city treasurer from the funds in its care for such payment the sum required, taking his receipt therefor.

Board to furnish city treasurer sums required to pay debts due.

SECT. 6. The board shall annually, in December, report to the city council the exact condition of the several funds under its control to the first day of said month.

Annual report.
P. S. c. 29, § 11.

NOTE. By authority of section eight, chapter one hundred and fifty-three of the acts of eighteen hundred and sixty-five, the mayor, city treasurer, and president of the common council, for the time being, are trustees of the sinking fund of the water works.

¹ Amended March 7, 1894.

CHAPTER 25.

STREET.

Street department to be in charge of the superintendent of streets. 1891, c. 364, §§ 9, 10.

His powers and duties.

SECTION 1. The street department shall be under the charge of the superintendent of streets, who shall hold his office for the term of one year from the first day of May in the year of his appointment and until his successor shall be appointed.

SECT. 2. The superintendent of streets shall, under the direction and control of the mayor, have the general care and charge of the highways, streets, bridges,¹ and public squares¹ belonging to the city, and shall attend to the making, mending and alteration thereof, and cause the same to be kept in good repair, so as to be safe and convenient for travellers with their horses and carriages, at all seasons of the year. He shall place suitable street signs on each street at convenient distances apart. He shall keep the entrances to the catch-basins open and clear of ice in cold weather, so as to permit the flow of surface water into them. He shall see that the highways, streets and sidewalks are kept in good order, and that all nuisances and obstructions therein are forthwith removed, or give notice thereof to the mayor or chief of police. And in case of the blockade or obstruction of any street, the person causing such blockade or obstruction shall forthwith notify the superintendent of streets and the chief of police thereof.

Obstruction of street.

Shall hire and control employes, etc.

¹SECT. 4. He shall have the right to hire, and the general control of, all persons employed in his department, and shall have the custody and management of the horses, carts, stables, shops, sheds and all other property connected with the street department, and shall keep the same in good condition and repair; and he may make all authorized contracts for the supply of any labor or materials required in the discharge of his official duty. He shall annually, in the month of December, present to the city council a report showing the detailed expenses, the material and other property on hand, a detailed account of work done, and other facts in relation to his department.

Shall make all contracts.

Highways, etc., when unsafe shall be fenced off.

²SECT. 6. Whenever any highway, street or bridge is from any cause unsafe or inconvenient for travellers, he shall forthwith put up a suitable fence across such highway, street or bridge, and exclude all travellers from passing over the same; or cause the parts thereof, so rendered unsafe and inconvenient, to be

¹ Amended March 13, 1894.

¹ Section 3 repealed March 13, 1894.

² Section 5 repealed May 1, 1895.

enclosed by a sufficient fence, which shall be kept standing so long as the same remains unsafe and inconvenient; and he shall also fix one or more lighted lanterns to such fence, or in some other proper manner, to be there kept every night, from twilight in the evening through the night, so long as such fence is kept standing.

Shall be lighted at night.

SECT. 7. Whenever the superintendent of streets is about to construct a new street, or to break up the surface of any street, he shall, at least two weeks before beginning work, notify the city engineer, as head of the sewer department, the superintendent of lamps and the water board, the Cambridge Gas Light Company and the West End Street Railway Company. If either of these departments or corporations has any work to be done in the street so designated, it shall consult and arrange with the superintendent of streets, in order that such work may be done before the surface of such street is again prepared for and open to public travel. After such notice and opportunity have been given, neither of the three departments of sewers, lamps or water, nor said corporations, shall, for the space of six months, break up such street within the area of such previous disturbance, except in case of obvious necessity, to be certified to and approved by the mayor.¹

Superintendent to notify other departments, etc., of proposed construction of opening of streets.

Street Names and Numbers.

SECT. 8. The several streets in the city shall continue to be called and known by the names heretofore given to them, until such names are altered by the city council. The city council shall give names to all streets hereafter laid out, and may change the name of a street at any time.

Names of streets.

SECT. 9. The board of aldermen may order numbers in regular series, at the expense of the owner or occupant, of such form, size and material, and in such mode, place, succession and order, as it may determine, to be affixed to or inscribed upon, all buildings on any street. Any owner or person having the control of any such building, refusing or neglecting so to affix to, or inscribe upon the same, the number designated by the board, or allowing any other number to remain thereon more than one week after notice so to affix or inscribe, shall be liable to a penalty of not less than one dollar and not more than twenty dollars.

Street numbers.

Excavations, Obstructions and Projections in Streets.

²SECT. 10. No person shall break or dig up the ground or stones in any street, or on any sidewalk, or erect any staging for building, or place or deposit any stone, bricks, timber, or building materials thereon, or otherwise occupy, obstruct, or encumber the

No street to be obstructed without license.

¹ Repealed Nov. 18, 1896.

² Amended April 13, 1893.

same, without first obtaining a written license from the ¹superintendent of streets for that purpose, and complying in all respects with the conditions of such license.

Licenses for obstructing streets.

²SECT. 11. The superintendent of streets may grant licenses in writing to persons having authority in the premises to open, occupy, obstruct, encumber and use parts of any street or sidewalk, and every such license shall specify the time, place, size and use of such opening, occupation or obstruction, and the time within which the street must be put in a condition satisfactory to the superintendent of streets, and each license so granted shall be upon the condition that the person accepting the same shall conform to the statutes and ordinances of the city in force and that may thereafter be in force, and to the specifications in the license; that the license may be revoked at any time by the superintendent of streets; that before performing any work authorized by said license the party licensed shall execute a bond to the city conditioned as required by the ordinances of the city, and subject to the additional condition that he will cause the excavation and obstruction to be properly fenced during the whole time the street is opened and obstructed; that he will place and maintain from the beginning of twilight, through the whole of the night, over or near the place so occupied, opened, obstructed or used, and over or near any dirt, gravel or other material when thereupon or to be used by him, a light or lights fixed to said fence or in some other proper manner sufficient to protect travellers from injury; shall place and maintain a safe and convenient way for the use of foot travellers, and a safe and convenient passage for public travel around or over such place; that if he does not, within the time prescribed by said superintendent, put the street into good condition, satisfactory to said superintendent, he will pay whatever sum the said superintendent shall expend for putting it into good condition, and that he will deliver up the license to the superintendent of streets on or before the expiration of the time fixed in the license for completing the work or any extension or extensions of the same. Said superintendent may, in addition to said specifications, specify in the license, or after the issuing thereof, in writing, the kind of rail or fence to enclose the place, and the kind of way over or around such place, and the manner of constructing the same; and nothing herein contained shall be construed to prevent the insertion in the license of any other specification deemed advisable by the superintendent of streets.

Bond to be given.

Obstruction to be fenced.

Fences to be lighted.

Foot path to be maintained.

Streets requiring repaving and resurfacing within one year from time of excavation.

Should any portion of the street which has been excavated require repaving or resurfacing within a period of one year from

¹ Amended Nov. 18, 1896.

² Amended April 13, 1893.

the time it has been disturbed, the superintendent of streets shall, by mail, postage prepaid, notify in writing the person applying for the license under authority of which the disturbance was made, to forthwith make such repairs as, in the opinion of said superintendent, are necessary, and in case of the failure of the said person to make such repairs within twenty-four hours after the sending of such notice aforesaid to the last known address of such person, the superintendent of streets shall then have the right to make such necessary repairs, and the expense of the same shall be paid by the said person, and all amounts received by the city collector for work done or materials furnished under the direction of the superintendent of streets, as above authorized, shall be placed to the credit, and to be used as a part, of the appropriation of the street department.

Superintendent to make necessary repairs.

Whenever any street is opened, occupied, obstructed or encumbered by any department of the city, or any corporation or person, the superintendent of streets shall prevent any unnecessary obstruction while the work is in progress, and shall see that the street is repaired and put in good order when the work is completed. If the street is not repaired to his acceptance he shall forthwith put the same in good order, and shall render a bill for the expense of such repair to the department, corporation or person whose duty it was to repair the street. All openings made in the street for any purpose whatever shall be filled back in layers six inches in depth, and each layer shall be properly rammed and, when necessary, shall be wet down to prevent settling of the filling.

Superintendent to prevent unnecessary obstructions.

Streets to be put in proper repair.

Openings in streets, how repaired.

Before any license hereinbefore described is delivered to any person for the applicant therefor, such person, unless he is an employee of the city, employed on public work, shall certify that a copy of the license entered in a book kept for the purpose is a correct copy of the license he received, and the applicant, unless the application is made in behalf of a department of the city or by a person who has given bond and who applies for a license in accordance with the provisions of chapter 22 of the Revised Ordinances of 1892, shall give a bond in the sum of one thousand dollars with one or more sureties conditioned to the faithful observance of the condition and specifications of every and all such licenses issued to the applicant, and the superintendent of streets may at any time require a new bond which shall be considered a strengthening bond, unless the sureties on the former bond are expressly released from their liability by vote of the city council.

Bond to be given before license is delivered.

Whenever any department of the city, or any corporation or person shall lawfully make any opening or cause any obstruction

Notice of obstruction or opening to be given to superintendent.

in any street, such department, corporation or person shall be held responsible for any damages that may result from such opening or obstruction for a period of one year from the time of making the same.

Violations of conditions of license.

Said superintendent shall not issue any such license to a person who has within one year previous to his application violated or failed to observe the conditions or specifications of any such license without special authority of the city council.

Defects in public ways.

Said superintendent shall keep a record of the notices of defects sent to him, with the name of any person giving the notice, and the time when given, and he shall without delay cause the locality of the alleged defect to be examined, and, if the defect is of such a character as to endanger the safety of public travel, shall do whatever may be necessary to prevent the public from injury by the defect, and cause it to be immediately repaired; and every person in the employ of the city shall send to said superintendent notice of every defect of which he has any knowledge.

Licenses to persons repairing water pipes, etc.

SECT. 12. Said superintendent shall grant such a license to a person who presents a license from the water department to repair or lay water pipes, and to a person who presents a license from the superintendent of lamps to connect with the lamps or pipes of the city.

Licenses for raising and lowering goods, etc., into and from buildings.

Said superintendent may grant to competent persons engaged in the business, licenses to occupy and use certain portions of the streets for the purpose of raising and lowering goods and merchandise into and from buildings, on condition the terms of which shall be those stated in section 11 of this chapter, so far as the same may apply, and in addition that the person applying for the license shall maintain, during the whole time the work is in progress, good and sufficient barriers across the sidewalk, from the wall of the building to or from which they are so raised, out to the curbstone or edge of the sidewalk, on each side of said goods or merchandise, sufficient to protect travellers from injury or danger; and that he will not encumber the sidewalk for more than fifteen minutes at a time for such work.

Lights not to be extinguished.

Penalty.

SECT. 13. Whoever maliciously or wantonly, and without legal cause, extinguishes or diminishes a light fixed in accordance with the provisions of section six, or of section ¹eleven, shall be liable to a penalty of not less than ten nor more than twenty dollars.

Gates or doors not to swing outwards.

SECT. 14. No person shall make, erect or maintain any gate or door in or upon any street in such manner that, when opening the same, it shall swing over such street.

¹ Amended April 13, 1893.

SECT. 15. No person shall make, erect or maintain any door-step, portico, porch, entrance or passage-way to any cellar or basement or any other structure, in or upon any street, without permission in writing, from the superintendent of streets when authorized by the board of aldermen. No person shall suffer the platform or grate of the entrance or passage-way to his cellar or basement in any street, to rise above the even surface of such street; and every such entrance or passage-way shall either be kept covered by a suitable and substantial platform or grate, or, in case it is kept open, it shall be guarded and protected by a sufficient railing, on both sides thereof, at least two feet and a half high, and well lighted at night.

Doorsteps, porticos, entrances to basements, etc., regulated.

SECT. 16. If any person digs or sinks, or causes to be dug or sunk, any well, cistern, drain or other cavity in the ground, near to or adjoining any street, he shall put up and at all times keep up, so long as it is necessary for the purpose, a railing or fence, on or near the line of such street, sufficient to guard and protect travellers and passengers from falling into said well, cistern, drain or other cavity.

Fences shall be built around wells, cisterns, etc., in streets.

Use of Streets.

SECT. 17. No person shall move, or assist in moving, any building through or upon any street, unless a written license therefor has been first obtained from the superintendent of streets upon the authority of the board of aldermen, specifying the terms and conditions on which such removal may be made. No such license shall be authorized without public notice and opportunity for hearing. No person thus licensed shall act under his license until he has filed with the superintendent of streets a bond, with sufficient surety, satisfactory in amount to the mayor, to indemnify the city from all loss and damage by reason of such removal. No building shall be removed through any street until the chimneys of the building have been taken down even with the roof.

Removal of buildings. P. S. c. 53, § 17.

Bond.

Chimney to be taken down.

SECT. 18. No person shall run a snow-plow or remove snow from the tracks of a street railway in the streets of the city, unless he removes from such streets, outside of the tracks and between the rails and the sidewalks, an amount of snow sufficient to make such streets safe and convenient for public travel; and all removal of snow from the streets by a street railway corporation shall be done under the direction and to the satisfaction of the superintendent of streets.

Snow from railway tracks to be removed. P. S. c. 113, § 27.

SECT. 19. No person shall, for the purpose of melting snow on the tracks or rails of a street railway, sprinkle any salt or other article of a decomposing nature thereon, or cause or allow

Salt shall not be used on railway tracks. P. S. c. 113, § 27.

such sprinkling to be done; nor shall any person for such purpose wash street railway tracks or rails or cause them to be washed with brine or pickle, except by the written permission of the superintendent of streets.

Rubbish, etc., shall not be placed in street, except.

SECT. 20. No person shall deposit in any street, except as herein otherwise provided, any dead shrub or tree, trimmings of shrubs or trees, post, pole or other article, earth from cellars or any rubbish, unless the same shall be immediately removed therefrom, at the expense of the owner or other person making such deposit; *provided*, that during the months of April, May and November in each year, owners or occupants of premises may, on twenty-four hours' notice to the superintendent of streets, obtain the removal of such dead shrubs and trees or trimmings of shrubs and trees as may have accumulated therein, the same being deposited in the street against the sidewalk adjoining said premises.

Fuel not to remain unnecessarily on sidewalk.

SECT. 21. No person shall suffer his fire-wood, coal or other fuel, in any quantity, to remain unnecessarily in any street over night, or after twilight in the evening. If the same must, of necessity, remain after twilight, or through the night, the owner thereof shall place and keep a sufficient light over or near the same through the night, in order to give notice thereof to travellers.

Snow or ice thrown in street shall be broken up.

SECT. 22. Whoever throws or puts, or causes to be thrown or put into any street, any snow or ice, shall cause the same to be broken into small pieces and spread evenly over the surface of such street. But no snow or ice shall be thrown or put into any street, or upon any bridge, contrary to the orders of the superintendent of streets.

Sidewalks.

Sidewalks, by whom to be kept in repair.

SECT. 23. All sidewalks shall be kept in repair at the expense of the city; *provided, however*, that all such repairs of the same as shall be rendered necessary by any act of the owner or occupant of the adjoining land, or by any defect in the buildings thereon, or by any other cause under the control of such owner or occupant, shall be made by such owner or occupant; and if he neglects to make such repairs, the same shall be made by the city, at his expense.

Record of streets and sidewalks.

SECT. 24. The city clerk shall enter, in a book kept for the purpose, the names of all the streets in the city, alphabetically arranged; and also a list of all sidewalks, the date of the acceptance, and the names of the owners of the adjacent estates.

Plank walks on sidewalks.

SECT. 25. No person shall place upon any sidewalk any board or plank walk, without first obtaining a written license from the

superintendent of streets authorized by the board of aldermen ; and walks hereafter laid under authority of such license shall be not less than three feet wide, and made in sections not more than twelve feet long, of spruce or pine lumber, of uniform thickness of not less than one nor more than two inches ; and each section shall be cross-tied every three feet in length, with two by four-inch joist. Such walks shall be constructed in accordance with a plan in the office of the city engineer, shall be subject to the approval of the mayor, and shall be removed whenever in the judgment of the board of aldermen public safety and convenience requires such removal ; *provided*, that exceptions may be made in relation to the requirement concerning the width of plank walks, in cases where the sidewalk is too narrow to admit of the prescribed width, and in such cases the board of aldermen may make and allow any necessary change.

Plank walks, authorized as hereinbefore provided, shall be laid and kept in proper condition by the respective owners thereof, and the same shall be taken up by such owners during the spring months whenever the superintendent of streets shall so direct.

SECT. 26. No person shall make, or cause to be made, any aperture in or under any street or sidewalk, for the purpose of constructing a coal hole, or receptacle for any other article, or for light and air, or for any other purpose, without the license of the superintendent of streets authorized by the board of aldermen ; and no person shall leave such coal hole or aperture open or unfastened, except while actually in use. No coal hole in a sidewalk shall be made or maintained more than eighteen inches in diameter, nor excepting the cover therefor is made of iron with a rough upper surface and with three or more iron rods or legs at least two feet in length fitting closely to the under side of the cover, and so constructed that while the cover can be lifted perpendicularly, it cannot be tipped or easily removed from the opening.

Coal-holes, etc.

Size of cover.

Kind of cover.

SECT. 27. No person shall insert a sign in a sidewalk without the permission of the superintendent of streets authorized by the board of aldermen ; and no person shall permit a leader or conductor from the roof of a building owned by him to be so placed or maintained as to direct a volume of water upon or across the surface of the sidewalk.

Signs shall not be placed in sidewalks.

Conductors from roof shall not direct water on sidewalk.

SECT. 28. Whoever desires the removal of ashes ¹ accumulated from the burning of materials for heating or domestic purposes only, and other house dirt, not including house offal, shall cause the same to be put in suitable boxes or barrels, and set upon

Ashes and other house dirt, removal of.

¹ Amended April 20, 1899.

the sidewalk adjoining his premises, and the superintendent of streets shall cause such removal to be made at least once in each week, on stated days for different portions of the city; but such boxes or barrels shall not be placed upon any sidewalk so as unnecessarily to prevent the convenient use thereof by travellers. Wherever there is a convenient driveway into a yard connected with any dwelling-house, the superintendent of streets may, at his convenience and upon reasonable notice, cause the city teams to be driven into such yard, and to remove therefrom the ashes and rubbish before mentioned that may be accumulated therein, at the times hereinbefore specified.

Ashes in street after dark, shall be lighted.

Any person having or leaving after dark any ashes, rubbish, or other refuse on any street shall cause a lighted lantern to be kept thereon during the night.

Snow shall be removed from sidewalks.

SECT. 29. The tenant or occupant, or any person having the care of a building or lot of land bordering on a street where there is a sidewalk or footway, or, if there is no tenant, occupant or other person having the care of the whole of such building or lot, the owner thereof, shall, within twelve hours after snow ceases to fall in the daytime, and before one o'clock on the afternoon after a fall of snow during the night, cause all snow that may be on such sidewalk or footway to be removed therefrom; and if he fails so to do, he shall be liable to a penalty of not less than two nor more than ten dollars; and for each and every hour thereafter during which such snow remains on such sidewalk or footway, he shall be liable to a further penalty of not less than one nor more than ten dollars. The provisions of this section shall apply to snow which falls from buildings as well as to that which falls from the clouds.

Penalty.
P. S. c. 53, § 7.

Ice to be removed from sidewalk or covered with sand, etc.
P. S. c. 53, § 7.

SECT. 30. When any portion of a sidewalk is encumbered with ice, the tenant or occupant, or any person having the care of the building or lot of land adjoining such sidewalk, or, in case there is no tenant, occupant or other person having the care of the whole of such building or lot, the owner thereof shall cause such sidewalk to be made safe and convenient by removing the ice therefrom, or by keeping the same covered with sand or some other suitable substance; and if such tenant, occupant, owner, or other person neglects so to do for the space of six hours during the daytime, he shall be liable to a penalty of not less than two nor more than ten dollars, and to a like penalty for each and every succeeding day during which such sidewalk continues to be so encumbered.

Penalty.

Removal of snow and ice where more than one tenant occupies house.

SECT. 31. When a tenement-house or other building is used or occupied by more than one tenant, the owner or person having the care of such house or building shall cause the snow and ice to

be removed from the sidewalk or footway adjoining such house or building, in the manner provided in the two preceding sections, and in default thereof shall be liable to the same penalties as are therein provided. Penalty.

SECT. 32. Any person licensed under the provisions of sections ten and eleven of this chapter, whenever so ordered by the mayor or the superintendent of streets, shall erect and maintain in good condition, day and night, a temporary sidewalk abutting upon that part of the street which he is licensed to use and obstruct, not less than three feet in width, made of sound planks not less than five inches wide and one and a half inches thick, spaced apart one-half an inch, securely fastened to cross-bearers not less than four inches square, and placed at intervals not exceeding four feet. Such walk is to be properly levelled and made, and kept safe and convenient for travellers. Such walk may be laid in sections not less than eight feet in length. Person licensed to encumber street shall maintain a temporary sidewalk.

SECT. 33. No canopy, awning, shade, shade-frame or shade-curtain, unless constructed of cloth or canvas attached to an iron frame, securely fastened and supported from above, and no part less than ¹ seven feet above the level of the sidewalk over which it is placed, shall hereafter be erected or maintained within the limits of any street, without permission of the superintendent of streets authorized by the board of aldermen.² And no clothes dryer or clothes line, and no clothes or garment shall be hereafter placed or hung over a sidewalk or within the limits of any street without such permission. All permissions given under this section shall be in writing, signed by the superintendent of streets. Awnings, shades, etc. P. S. c. 23, § 24

SECT. 34. Every owner of an estate hereafter maintaining any cellar, vault, coal hole or other excavation under the part of the street adjacent to, or which is a part of, his estate, shall do so only on condition that such maintenance shall be considered as an agreement on his part to hold the city harmless from any claim for damages to himself or the occupants of said estate resulting from gas, sewage or water leaking into such excavation, and every such owner, and every owner maintaining a post, pole or other structure in or over a street, or a wire, pipe, conduit or other structure under a street, shall do so only on the condition that such maintenance shall be considered as an agreement on his part to keep the same and the covers thereof in good repair and condition, at all times during his ownership, and to indemnify and save harmless the city against any and all damages, costs, expenses or compensation which it may sustain, or Person maintaining any coal hole or other excavation under any part of a street, or pole wire, conduit, etc., shall save the city harmless from all loss, etc.

¹ Amended June 16, 1898.

² Amended June 30, 1898.

be required to pay by reason of such excavation or structure being over, under, or in the street, or being out of repair during his ownership, or by reason of any cover of the same being out of repair or unfastened during his ownership.

Powers of Surveyor of Highways.

Surveyor of
highways.

SECT. 35. The provisions of this chapter shall not be taken or construed as limiting in any manner the legal rights and duties of the surveyor of highways to order such alterations and repairs in streets as he may deem that the safety and convenience of the inhabitants require.

CHAPTER 26.

TREASURY.

SECTION 1. The treasury department and the collection of taxes shall be under the charge of the city treasurer, who shall be *ex officio* the collector of taxes. He shall hold his office for the term of one year, from the first day of March in the year of his election and until his successor is appointed and qualified. He shall receive, receipt for and have the care and custody of the current funds of the city, and also of all moneys, property and securities which may be in his charge by virtue of any statute or ordinance, or by virtue of any gift, devise, bequest or deposit. He shall negotiate all loans authorized by the city council, and shall sign all bonds, notes and certificates of indebtedness issued for loans to the city, authorized by the city council. As collector of taxes he shall have all special powers conferred on a treasurer appointed collector by a vote of the city council. He may be elected by the board of commissioners of sinking funds, to serve as the treasurer of said board, and in such case shall receive in addition to his salary, the salary fixed for said office.

Treasury department to be in charge of city treasurer.

Appointment, S. 1891, c. 364, § 20.

General duties. P. S. c. 27, §§ 28, 123.

He may be elected treasurer of commissioners of sinking fund. P. S. c. 29, § 10.

Vacancy.

Whenever the office of city treasurer shall be vacant, the city council shall fill the vacancy in the same manner as provided for the annual election.

SECT. 2. The treasurer shall pay all drafts, checks and orders directed to him from the auditing department as provided by ordinance, for the payment of demands against the city; shall, on presentation pay all executions against the city duly certified as correct by the city solicitor; also, all bonds issued by the city, and the interest on the same as they or it becomes due; shall cancel all bonds and coupons and immediately transmit to the city auditor the bonds, coupons and executions so paid.

Shall pay all drafts, etc.

Shall cancel all bonds.

SECT. 3. The treasurer shall use and apply in such manner as the city council may direct, all property, money and securities in his possession at the close of each financial year. The financial year shall begin with the first day of December in each year.

Property, etc., in his possession November 30.

Financial year. S. 1891, c. 364, § 36.

SECT. 4. The treasurer shall receive and have the care and custody of all sums of money paid by persons for the perpetual care of lots in the Cambridge cemetery, and give the vouchers of the city therefor. He shall notify the superintendent of the cemetery of all such payments together with a description of the lots and graves on account of which such payments are made,

Shall receive money for the care of lots in Cambridge cemetery.

Interest on
cemetery fund.

and annually, at such times as the board of commissioners of the Cambridge cemetery requests, shall pay over to them six per centum as interest upon all sums so paid to and receipted for by him previous to December thirtieth, eighteen hundred and eighty-five, and four per centum upon all sums paid to and receipted for by him thereafter. He shall invest such moneys in some safe manner, and pay the amount of interest realized thereon into the city treasury. The fund created by such payments shall be denominated "the cemetery fund for the perpetual care of lots."

Receipts from
dog licenses.

SECT. 5. The treasurer shall receive all sums of money paid under the provisions of the one hundred and seventh section of chapter one hundred and two of the public statutes of the Commonwealth, and shall forthwith credit the amount of such money to the appropriation for the public library.

Such moneys
to be added to
appropriation.

Bond.
P. S. c. 27,
§§ 91, 92, 105.

SECT. 6. The treasurer shall give a bond in such form as the city solicitor shall approve, with sufficient sureties, to be approved by the mayor in a sum not less than forty thousand dollars, which bond shall be executed, approved and delivered before he enters upon the duties of his office, and within ten days after his election. Should he fail to give such bond within the time herein required, the election shall be void and a new election shall be had forthwith. In case of the death or insolvency of any of the sureties on any bond so given, the treasurer shall immediately notify the mayor and give a new bond with sufficient sureties or surety, which new bond shall be a strengthening bond, unless the sureties on former bond are expressly released from further liability by order of the city council; and if he fails to give such new bond within a reasonable time after notice to do so, it shall be sufficient cause for removal from office.

In case of
death, etc.,
new bond.

Failure to give
new bond.

Shall collect all
rents, water-
rates, etc.

SECT. 7. The treasurer shall be the collector of all rents, water-rates and other sums payable to the city, not otherwise specially provided for. He shall, in the month of April in each year, notify all persons assessed for the use of water that the annual bills for water-rates are due and payable at his office on the first day of May; and he shall give notice of and collect all other bills on account of the water-works, which may, from time to time, be placed in his hands by the water registrar. He shall supply to the water registrar daily, a true record of his receipts on account of the water-works, with the number and amount of each bill collected.

Shall report
daily receipts
to water
registrar.

Shall keep a
record of
receipts and
payments.

SECT. 8. He shall keep, in books provided for that purpose, an accurate and true account of all his receipts and payments as city treasurer and collector of taxes, making the same conform as nearly as may be with the accounts kept by the city auditor. He shall credit each department or account with all sums

received on its account, and shall charge to each all sums paid out on such accounts. He shall not pay any money out of the treasury except upon orders of the mayor drawn in the form prescribed in chapter four section three, or except for special purposes as provided in the fifth and sixth sections of that chapter. He shall annually, in December, report to the city council a written statement, in detail, of receipts and expenditures for the year ending November thirtieth, and submit a copy thereof to the mayor and the finance committee.

Shall not pay money out of the treasury except.

Annual report.

SECT. 9. He shall, on the first day of every month, report to the auditor a written statement, in detail, of all his collections, receipts and disbursements during the preceding month, with the names of the persons of, or to whom and on what account the same were received or paid. It shall be sufficient, in reporting the receipts for taxes, assessments and water-rates, to state the amount received, and the particular warrant, assessment or account upon which the collection was made. He shall also report a true record of all discounts, abatements and repayments allowed during the month on taxes, assessments, water-rates or other accounts.

Shall report to the auditor monthly.

SECT. 10. Whenever any assessments for defraying the expenses of constructing or repairing common sewers, or of completing sidewalks, are delivered to the treasurer for collection, he shall forthwith make a demand in writing for the payment of said assessments; and, if any such assessments remain unpaid for three months after such demand, and no notice of apportionments, or request therefor be filed in his office, he shall collect the same according to law. Whenever the amount due and payable on any mortgage belonging to the city is paid to the treasurer, he shall certify the same forthwith to the mayor.

Sewer and sidewalk assessments. P. S. c. 50, §§ 4, 11.

Payments on mortgages.

SECT. 11. After heads of departments shall have furnished weekly pay-rolls of such employees in their respective departments as are entitled by law to be paid weekly, and shall have furnished monthly pay-rolls for all other employees, stating the name and residence of each employee, the time for which payment is to be made, the rate of wages and the amount due him, and after such pay-rolls shall have been properly approved and certified, the treasurer shall, in person, or by his clerk, make payment to such employee, his authorized agent or attorney, and shall take therefor the receipt of no other person than such employee, agent or attorney. The treasurer shall pay all employees of the city, whose names are borne upon such pay-rolls, either in person at the city hall, or by sending a clerk or pay-master to pay such persons at the place where they are employed. He may also make the necessary arrangements for

Pay-rolls of employees.

Where paid.

Transportation of pay-master.



the transportation of such clerk or pay-master to the place as aforesaid.

Salary of treasurer.

SECT. 12. The treasurer shall receive such salary as the city council shall from time to time determine, which shall be in full compensation for all services rendered in his official capacity as city treasurer and collector of taxes. All fees, charges and commissions of every kind allowed by law, for the collection of taxes, betterments, rates and assessments of every kind, to the treasurer and collector of taxes shall be collected and paid by him into the treasury, and shall become the property of the city. At the end of each month he shall make and give to the auditor a written statement, subscribed by him, of all fees, charges, costs and commissions of every kind and description, allowed by law and received by him or any deputy collector acting under authority of law by his appointment, for collection of taxes, rates, betterments, assessments or otherwise, during that month; and shall certify thereon that all moneys so received by him or them have been paid into the treasury. He shall be allowed such reasonable sums, from time to time, as will reimburse him for expenses necessarily incurred in the employment of deputy collectors, sheriffs, deputy sheriffs or constables, in the collection of poll or personal taxes.

Fees, etc., to be paid into the treasury.

Shall report monthly to the auditor all fees, etc., received.

To be reimbursed for expenses incurred in collecting taxes.

Collection of taxes.
S. 1892, c. 168,
S. 1888, c. 390.

SECT. 13. The treasurer shall, as soon as possible after receiving any tax list and warrant, send a notice to each person assessed, resident and non-resident, of the amount of his tax. If he shall send such notice through the mail, he shall postpay and direct the same to the city or town which was the place of residence of such person on the first day of May of the year in which the tax was assessed, and if to a resident of this city, shall direct it to the street and number of his residence, if possible.

Collection of poll tax.
P. S. c. 12, § 2.

SECT. 14. When the treasurer receives from the assessors tax lists for poll taxes assessed on persons who are assessed for a poll tax only, he shall immediately send a notice to each person so assessed, and if he shall send such notice through the mail he shall postpay and direct the same as in the case of the notice provided for in the preceding section. If such poll tax be not paid at once, the treasurer shall forthwith proceed to collect the same in the manner provided by the laws of the commonwealth for the collection of taxes from delinquents.

Rates of interest on unpaid taxes.
P. S. c. 11, § 67.

SECT. 15. Upon all taxes remaining unpaid upon the tenth day of October, interest shall be charged at the rate of six per cent per annum, and on the first day of November, the treasurer shall issue his summons to all delinquents, that, if their taxes are not paid within ten days from the date thereof, with twenty cents for said summons, he will then proceed to collect the same

Summonses for unpaid taxes.

according to law; and he shall give notice by attaching this section to all tax bills.

SECT. 16. The treasurer shall, during the first week of each month, render to the mayor a statement of his receipts and payments for the month preceding, together with a summary of the items of his receipts and payments for the current financial year up to the close of the preceding month.

Shall render a
monthly
statement to
the mayor.

CHAPTER 27.

WATER-WORKS.

Water-works department to be in charge of the water board. 1891, c. 364, §§ 9, 10.

Appointment and term of office.

SECTION 1. The water-works department shall be under the charge of the Cambridge Water Board, which shall consist of five persons, to be appointed by the mayor, subject to the confirmation the board of alderman.

The mayor shall annually, in the month of June, appoint, subject to the confirmation of the board of aldermen, one person to be a member of the water board, who shall hold office for the term of five years from the thirtieth day of June in the year of his appointment. A vacancy shall be filled in the same manner, and the person appointed to fill a vacancy shall hold office for the remainder of the term for which his predecessor was appointed. Said members shall, in addition to the above term, hold office until others are appointed in their places. No member of the city council shall be appointed a member of this board.

President.

SECT. 2. The president of the water board shall be elected by the board, and shall be one of the persons appointed as provided in the first section of this chapter. The board may choose a clerk, and make such rules and regulations for its own government and in relation to all its officers as may be deemed expedient.

Clerk.

Powers of board.

SECT. 3. The board, so constituted and organized, shall have and exercise all the powers vested in the city council by the legislature, by the one hundred and fifty-third chapter of the acts of the year eighteen hundred and sixty-five, and by the one hundred and sixty-fifth chapter of the acts of the year eighteen hundred and seventy-five, and by the two hundred and fifty-sixth chapter of the acts of the year eighteen hundred and eighty-four, and by the one hundred and thirty-seventh chapter of the acts of the year eighteen hundred and eighty-eight, and by any acts in addition to any of said acts, so far as the same can be legally delegated; and it may appoint a superintendent, water registrar, and all other subordinate agents and assistants, and fix their compensation and that of the clerk before mentioned subject to the approval of the committee on finance.

SECT. 4. The board, on or before the fifteenth day of December in each year, shall present to the city council a report containing a statement of the condition of all the water-works and of the lands and other property connected therewith, with an account of all receipts and expenditures and a schedule of pro-

Annual report.

perty on hand, together with any information or suggestions which it may deem important; and shall at the same time transmit to the city council the reports of the superintendent and water registrar.

SECT. 5. The board may sell such of the personal property connected with the water-works as it may deem expedient, subject to the approval of the mayor.

May sell personal property.

SECT. 6. The president of the board shall exercise a general supervision over all the water-works, and the materials and property connected therewith, and over all subordinate officers and agents. In case of his absence or inability, his duties may be performed by a president *pro tempore*, to be chosen by the board.

Duties of president.

SECT. 7. The board shall have full power to make all necessary repairs, extensions or improvements on said works, and to provide new supply-pipes. All hydrants, stand-pipes and drinking fountains, established by the city, shall be constructed, and all repairs upon such hydrants, stand-pipes and drinking fountains made, and the streets, when broken up, shall be again put in good order, to the satisfaction of the superintendent of streets, by and under the direction of the water-board. The board shall have no power to expend any money, or to incur any debt, beyond the amount of appropriations made by the city council.

Repairs, etc., of water-works.

Hydrants of city.

SECT. 8. No member of the board, and no person appointed to any office or employed by virtue of this chapter, or of the acts of the legislature mentioned in the third section of this chapter, shall be interested, directly or indirectly, in any contract, bargain, sale or agreement, in relation to the water-works, or any matter or thing connected therewith, wherein the city is interested; and any and all contracts, bargains, sales or agreements, made in violation of this section, shall be void as to the city.

Members of board, etc., not to be interested in contracts.

SECT. 9. The board shall determine and assess the water-rates according to the tariff of rates adopted by the city council, and shall have power to establish such regulations as it may deem expedient for the introduction and use of water; and the water shall not be supplied to any building unless the pipes and fixtures are made conformable to such regulations.

Water-rates.

SECT. 10. The board shall annually elect a superintendent of the water-works, who shall be a citizen of Cambridge. He shall take charge of the aqueducts, lands, reservoirs and other works and property connected with the water-works, as the water board may from time to time direct; and he shall perform all such services in relation thereto as may be required of him by the board, and shall annually, during the first week of December, present to the board a report of the general condition of the works. He may at any time be removed by the board.

Superintendent.

His duties.

Water
registrar.
Duties.

SECT. 11. The board shall annually elect a water registrar who may at any time be removed by the board. He shall perform all such services as may be required of him by the board, and shall annually, during the first week of December, present to the board a detailed statement of all receipts and expenditures in his department for the year ending November thirtieth; a statement of the number of water-takers; the number of cases in which the water has been cut off; the number and amount of abatements; and such other matters as he or the board may deem expedient.

Further duties
of registrar.

SECT. 12. The registrar, under the direction of the board, shall cause to be visited, once in each year, all premises where the water is taken, and shall exercise a constant supervision over the use of the water.

Receipts.

SECT. 13. All moneys paid into the treasury on account of said works shall be placed to the credit of the water works, and shall not be paid out except under the provisions of this section and chapter four. The mayor may draw his draft for all sums of money becoming due for interest on the Cambridge water loan, and the amounts so paid shall be charged to the water-works. The treasurer shall annually, on or before the thirtieth day of November, pay over to the trustees of the sinking funds, provided in the first act named in the third section of this chapter, a sum not less than three and one half per cent. of the par value of the then outstanding water bonds.

Water rates,
when to be
paid.

SECT. 14. The annual rent for the use of the water shall be payable in advance on the first day of May in each year. All charges for specific supplies, or for fractional parts of the year to May first, shall be payable in advance and before the water is let on.

Penalty for
non-payment.

SECT. 15. In all cases of non-payment of the water rent in thirty days after the same is due, the registrar shall cut off the supply; and the water shall not again be let on, except upon the payment of the sum of two dollars, and not for the same occupant or owner, except upon the payment also of the whole amount due; and every person whose water rent is unpaid on the fifteenth day of June, shall be liable to said penalty of two dollars, though the supply may not have been actually cut off; *provided*, that in case of specific supplies or for fractional parts of the year, when the water has been let on, it may be cut off immediately after notice given at the place that the rent is not paid, and may be let on again upon the conditions before mentioned. And the foregoing provisions shall apply when two or more parties take the water through the same service pipes, although one or more may have paid the proportion due from him or them.

All bills for water furnished by meter shall be payable quarterly; and if the same be not paid within twenty days after the end of the quarter, the registrar shall cut off the supply after sending a special notice that the water will be so cut off for non-payment.

SECT. 16. The registrar, under the direction of the board, may make abatements in the water rents in all proper cases.

Abatements.

SECT. 17. The registrar shall keep suitable books in which shall be entered the names of all persons who take the water, the kind of building, the name and number of the street, the nature of the use, the number of takers and the amount charged, and amounts of abatements, which shall always be open to the inspection of the board, and any committee of the city council.

Records.

The registrar shall, at the end of each year, report to the board, —

Registrar's report.

1. The amount of the bills sent to the treasurer.
2. The amount of the abatements.
3. The amount of the uncollected bills.

SECT. 18. No person shall injure any public pipe, reservoir or fire hydrant connected with the water-works, or shall break and enter the same, or draw off or cause to be removed, any of the water therefrom; or shall turn on or off the water in any such water pipe, reservoir or fire hydrant, or shall make any opening or connection with such pipe, reservoir or fire hydrant, or remove the cover of any hydrant, except in case of fire, without the license or permit of the water board, or by authority of the mayor, and then only under the direction of the superintendent of the water-works, who shall provide competent men to perform the same; and the expense thereof shall be charged to the person or department applying for such license or permit.

Injuries to pipes, reservoirs, etc.

SECT. 19. The following regulations shall be considered a part of the contract with every person who takes the water; and every such person, by taking the water, shall be considered to express his consent to be bound thereby. These regulations shall be printed upon every bill for water rent, and whenever any one of them is violated (notwithstanding two or more parties may receive the water through the same pipe), the registrar shall cause the water to be cut off, and it shall not be let on again except upon payment of two dollars and all chargeable rates; and further in case of any such violation, the board may declare forfeited any payment made for the water, by the person committing such violation, and the same shall thereupon be forfeited.

Regulations relative to use of water. P. S. c. 27, §§ 16, 17. P. S. c. 28, § 2.

The regulations are as follows: —

1. All persons taking the water shall, at their own expense,

Takers to keep service pipes in repair, etc.

keep the service-pipes within their premises in good repair and protected from frost, and they will be held liable for all damage which may result from their failure to do so.

To prevent waste, etc.

2. They shall prevent all unnecessary waste of water, and there shall be no concealment of the purposes for which it is used.

Pipes inserted by city not to be altered, except, etc.

3. No alteration shall be made in any of the pipes or fixtures inserted by the city, except by its agents, who shall be allowed to enter the premises supplied, to examine the apparatus, and to ascertain if there is any unnecessary waste; and no plumber or other person shall make any alteration or extension of the pipes in any house or on any premises without first giving notice to the registrar, and procuring a written permit from him, which shall be returned to the registrar within ten days after the completion of the work, endorsed with a statement of all fixtures added or removed. Any person violating this regulation shall be fined not more than twenty dollars.

Water not to be supplied to other parties.

4. No water shall be supplied to parties not entitled to the use of it under the city ordinances, unless by special permission.

Fountain.

5. Except as hereinafter provided, no connection of a fountain shall be made, directly or indirectly, with the water pipes of the city. Persons desiring water for fountain purposes, shall make application in writing to the board, stating the number and size of the jets to be used, and the hours of the day and the months during which it is proposed to use the same. Upon such application the board shall fix the rate to be charged to the applicant, and the connection with the water pipes shall be made by and under the direction of the superintendent; it being understood and agreed that the water shall be employed exclusively for fountain purposes, unless supplied through a meter.

Abatements for vacancy or non-use.

6. Whenever on account of non-occupancy of premises or non-use of water an abatement is desired, and notice thereof is given at the office of the registrar, while the person liable for the water-rates is in possession of the premises, the water shall be cut off by an employee of the board and an abatement made, less the charge of one dollar for cutting off; *provided*, that such seal-locks as may be adopted by the board may be placed upon faucets in tenements so connected with other tenements that they cannot be separately shut off in the street; but they shall not be put on in any house that can be so shut off from the street, except for particular fixtures.

The charge for putting on such seal-locks shall be established by the board. Such seal-locks shall not be taken off by any one except an employee of the board, on penalty of forfeiting all claims for allowance, and having the water shut off from the premises.

7. The registrar, with the necessary agents and assistants, **Right of entry.** may enter the premises of any water-taker to examine the quantity used, and the manner of use, and to cut off the water for non-payment of rents or fines, or for any violation of these regulations.

The registrar shall make all water-rate charges, excepting **Water-rates to be charged to owner.** charges for metered water, to the owner of the property, and in every case the owner shall be liable for the water-rates, except where the ownership is changed after water is shut off for non-payment, in which case the new owner shall be liable for the water-rates from the time when the water is again let on.

SECT. 20. An owner or occupant of premises in which water furnished by the city is used, who fails to keep his service-pipes and fixtures in good order, and neglects to repair the same within three days after they have, from any cause, become defective, or who neglects to shut off the water after using it, so that it runs to waste, shall be liable to a fine of two dollars; and if such fine is not paid within two days from the time when the person incurring it receives notice that he is liable thereto, the water shall be cut off from his premises, and shall not be let on again until the waste is stopped and the fine paid, together with an additional sum of two dollars for cutting off and letting on the water; and in case of a second offence during the same year, a fine of four dollars shall be imposed, and if it is not paid within two days, as aforesaid, the water shall be cut off, and shall not be let on again until the cause of complaint is removed and the fine paid, together with two dollars for cutting off and letting on the water; and in case of a third offence, the water shall be cut off, and shall not be let on again except by a vote of the board and the payment of such fine, not exceeding ten dollars, as the board may impose.

Penalty for waste of water and not keeping service pipes, etc., in good order.

SECT. 21. The board shall have the power to decide what shall be considered a waste or improper use of water, and to restrict the use thereof when it may deem it necessary; and if the water-taker refuses or neglects to comply with any order of the board, after notice given to him, the water may be cut off, and shall not again be let on, except by a vote of the board, and the payment of such fine, not exceeding ten dollars, as the board may impose.

Board to decide what is waste, etc.

SECT. 22. The board shall have the power to restrict the use of hand-hose to such hours of the day as it may deem necessary; and for any violation of such restriction the occupant of the premises shall be liable to the penalties imposed in the preceding section for a waste or improper use of water.

Board may restrict use of hand-hose.

SECT. 23. The water registrar shall, under the direction of the water board, make out the annual bills for water-rates, and deliver the same to the treasurer on or before the tenth day of April in each year, and shall make out bills for all other amounts payable

Registrar to make out water bills.

Bills to be numbered.

to the city on account of the water-works, and deliver the same to the treasurer, from time to time, as they may become due. All the bills so delivered by the water registrar shall be numbered to correspond with the number of the charge on his books.

Abatements and refunds.

A certificate of each and every abatement and refund shall be furnished by the registrar, which certificate shall be addressed to the treasurer, and shall state the account on which it is allowed, and the number of the bill. The registrar shall, on the first day of every month, report in writing to the auditor the amount of the bills of each class placed in the hands of the treasurer for collection, and also the amount abated or ordered to be refunded, during the preceding month. ¹Whenever it shall appear to the water registrar that an error has been made in the rates charged for any house or tenement whereby a larger amount has been charged than is required by section 24 of this chapter, he shall cause an abatement certificate to be made for the amount of the excess charged, and forthwith transmit the same to the city treasurer, who shall send a corrected notice to the owner or the person to whom the rates are charged.

Registrar to report to auditor, etc.

²SECT. 24. The following rates shall be charged annually for the use of the water, namely:—

Dwelling-Houses.

Rates to be charged for water.

Dwelling-houses.

	Per Year.
Occupied by one family, for the first faucet . . .	\$ 4 00
For each additional faucet, to be used by the same family	2 00
Each wash basin	2 00
Each set washtub, with faucet	2 00
When a house is occupied by more than one family, one faucet only being used by all, for each family .	3 00
When a house is occupied by more than one family, the highest rates will be charged for each family having the water carried into their part of the house.	
For the first bathtub	4 00
When used by more than one family, for each family,	3 00
For each additional bathtub	3 00
For the first water-closet, self-regulating	3 00
When used by more than one family, for each family,	2 50
For each additional water-closet, self-regulating . .	2 00
For each water-closet, not self-regulating	10 00
When used by more than one family, for each family,	8 00
Each slop-closet	3 00

¹ Amended April 4, 1895.
² Amended March 29, 1894.

	Per Year.
When two faucets are used, one for hot and one for cold water, both emptying into one vessel, but one charge will be made for both, and the same rule applies to boarding-houses.	
<i>Provided</i> , That in no case shall the charge for the use of water by a private family, exclusive of water closet, not self-regulating, hose and stable, be more than	\$15 00
And including stable for not more than four animals, more than	22 00
And including use of hose for stable for not more than four animals, and for garden not exceeding five thousand feet.	27 00

Apartment Houses or Family Hotels.

For the use of water in apartment houses or family hotels which are arranged in suites of rooms for different families, the charge to each tenement, exclusive of water-closet not self-closing, shall not exceed \$14. Apartment houses or family hotels.

[Apartment houses or family hotels, so-called, shall be taken to mean and include dwellings constructed especially for and occupied by three or more families, each tenement being arranged in flats or suites of rooms connected, and having the conveniences of a distinct house, without regard to the location of the water fixtures. All other dwellings occupied by one or more families shall be classed under the head of dwelling-houses.]

1

Stores, Etc.

	Per Year.	Stores, etc.
For each tenement occupied as a store, warehouse, or office	\$3 00	
Where two or more such tenements are supplied from the same faucet, each	2 50	
For markets, saloons, workshops, or for purposes not included in any other classification, and not requiring more than an ordinary supply of water taken from one faucet, from	5 00 to 25 00	
For the first self-regulating water-closet or urinal used by the occupants of one tenement only	3 00	
(Explanation: When a self-regulating water-closet and urinal are in one room, but one charge for each tenant shall be made for both fixtures.)		
When used by occupant of more than one tenement, for each.	2 50	

¹ Amended March 13, 1895.

Per Year.

For water-closet, not self-regulating, for single tenement	\$10 00
Each slop-closet	3 00
For water-closet, not self-regulating, used by occupant of more than one tenement, for each	6 00
For each additional fixture, one half of the above charges shall be added.	

Private Stables.

Private stables.	For first horse	4 00
	Each additional horse	2 00
	Each cow	2 00

Livery, Club, and Boarding Stables.

Livery stables, etc.	For not exceeding five horses, the same as private stables.	
	Each additional horse	2 00

Car and Omnibus Stables.

Car and omnibus stables.	For not exceeding five horses, the same as private stables.	
	Each additional horse	2 00

Truck and Cart Stables.

Truck and cart stables.	For each horse, if two or more	2 00
	The above includes water for washing carriages, omnibuses and cars, without hose.	
	No stable less than	4 00
	Where hose is used in any stable, an addition will be made to the above charges, as follows:—	
	For the first horse	5 00
	For each additional horse	50

Hose.

Hose.	For washing windows and other similar uses, including watering gardens of less than 5,000 feet	5 00
	For above purposes and for private stable	10 00
	For other cases arrangements may be made with the Water Board.	

Hotels.

Hotels.	For each bed for boarders and lodgers.	3 50
	Or special arrangements may be made with the water board.	

Baths.

Baths.	For public bath, and for each bath in any hotel	10 00
	Water-closets in public bath-houses	10 00

Steam-Engines.

For each engine, working not over twelve hours a day,	Per Year.	
for each horse-power	\$6 00	Steam-engines.

¹The Water Board shall have power to ascertain by meter the quantity of water used in any case, and a meter shall be applied whenever, in the judgment of the board, it is expedient. The charge for metered water shall be based on annual consumption, as follows : —

- For the first 50,000 cubic feet, 15c. per 100 cubic feet.
- From 50,000 to 200,000 cubic feet, 12c. per 100 cubic feet.
- From 200,000 to 500,000 cubic feet, 11c. per 100 cubic feet.
- From 500,000 cubic feet to 5,000,000 cubic feet, 8c. per 100 cubic feet.

When the water used by any one taker shall amount to more than five million cubic feet in any one year, commencing the first day of July, then the charge shall be at the rate of seven and one-half cents for each hundred cubic feet of the excess over that quantity.

In no case, however, shall the minimum charge for metered water be less than fifteen dollars per annum.

In addition to the charge for water used, an annual rental of two dollars for each meter shall be assessed, commencing April 1, 1898.

All water passing through a meter will be charged for, whether used or wasted.

If a meter gets out of order and fails to register, the consumer shall be charged at the average daily consumption as shown by the meter when in order.

All charges for metered water shall be made to the owners of the property.

All bills for water furnished by meters shall be payable quarterly at the office of the city treasurer; and if the same be not paid within twenty days after the end of the quarter, the registrar is instructed to cut off the supply, after sending a special notice that the water will be cut off for non-payment.

When water is required for purposes which are not specified in the foregoing tariff, the rate shall be fixed by the board.

The board shall have power to prevent the erection of yard hydrants, and water shall not be supplied to any water-closets unless such water-closets are constructed to conform to the plumbing ordinances.

SECT. 25. All water required by the city in its various departments, shall be furnished free of charge.

SECT. 26. The police shall report to the registrar all cases of

¹ Amended February 12, 1898.

Police to re-
port waste, etc.

leakage, waste or unnecessary profusion in the use of the water, and all violations of this chapter that may be brought to their notice.

Salary of
treasurer of
sinking fund
of water-
works.

SECT. 27. There shall be paid to the person chosen by the trustees of the sinking fund of the water works, as their secretary and treasurer, an annual salary of two hundred dollars. Said salary to be charged to the maintenance account of the water-works.

CHAPTER 28.

DUTIES AND SALARIES.

SECTION 1. The various boards and city officers, who shall in their official capacity receive any money on behalf of the city, whether for payment of fees, for services rendered or otherwise, shall enter, in a book kept for the purpose, a detailed record of all money so received, and the several purposes for which said money was paid, which book shall at all times be open to the inspection of the committee on accounts, and all such boards and city officers having offices in the city hall, shall pay to the treasurer daily all money so received, and all other boards and city officers except the city weighers shall pay over to said treasurer weekly all money so received by them. All such boards and city officers shall, before making such payment, make a true return to the auditor, stating the account upon which said moneys were received. All other persons, who shall at any time have money in their possession belonging to the city, shall forthwith pay the same to the treasurer.

Boards and officers to keep an account of moneys received for city, and pay same to treasurer.

SECT. 2. The city clerk and the treasurer and collector shall annually, on the thirtieth day of November, make to the city council a written detailed statement of all fees and perquisites received by each of them for the year ending with that date. The chief of police shall make a similiar return of the fees and perquisites received by himself and other members of the police force.

City clerk, treasurer and chief of police to report fees.

SECT. 3. All fees, penalties, witness fees, moneys or compensation received by any members of the police force, other than the salary fixed by ordinance, for any services rendered in their official capacity, except moneys or compensation received by them for special services, and except witness fees for testimony in courts without the limits of the city, shall be paid weekly into the city treasury by the officers receiving the same.

Fees received by police to be paid into the treasury.

SECT. 4. The offices hereinafter named shall be open to the public for the transaction of business daily, except on Sundays and legal holidays, and as hereinafter provided, during the following hours : viz.,—

Office hours of sundry officers.

The treasurer's and the auditor's from eight o'clock A. M. to two o'clock P. M.

The city clerk's from eight o'clock A. M. to three o'clock P. M.

The city engineer's from eight o'clock A. M. to five o'clock P. M.

The superintendent of streets from eight o'clock A. M. to four o'clock P. M.

The chief engineer's, from nine to ten o'clock A. M.

The office hours for city employees shall be fixed by the board, or head of department authorized to employ them.

Office hours
on Saturdays.

SECT. 5. On Saturdays the various offices at the city hall shall be closed at two o'clock in the afternoon; *provided*, however, that, in case of necessity, any office may be left open until a later hour, at the discretion of the head of the department occupying such office, or the board having charge of such department.

Treasurer
shall appoint
the clerks in
his office.
S. 1891, c. 364,
§ 34.

SECT. 6. The treasurer and collector shall appoint the clerks in his office and shall be answerable for their conduct in the discharge of their duties. Such appointments shall be forthwith certified to the mayor. Such clerks shall receive such compensation as the committee on finance may, from time to time, determine and they may be removed by the treasurer and collector for such cause as he shall assign in writing in the order of removal, which order shall be forthwith communicated to the mayor. The compensation of all clerks in the several departments of the city, both permanent and temporary, shall be determined by said committee, subject however to change at any time by order of the city council.

Removal of
clerks.

Compensation
of clerks.

Non-residents
not to be
employed as
laborers.

SECT. 7. No person who is not a resident of Cambridge shall be employed as a laborer in any department of the city; and in the employment of laborers in any department of the city, preference shall be given to efficient and steady men who have families or minor children dependent upon them for support; *provided*, that no competent and faithful laborer, who is a resident of Cambridge, shall be discharged to make place for another. Nine hours shall constitute a working day for laborers and mechanics in the several city departments,¹ and eight hours for brick layers in the sewer department, for each working day throughout the year.

Working day
for laborers.
S. 1890, c. 375.

Boards and
heads of
departments
to control
appropriations.

SECT. 8. The several boards and heads of departments shall have the general supervision and control of the appropriations made to meet the expenditures of their respective departments; *provided*, that no board or head of department, authorized to purchase materials or supplies, or to contract for labor to be performed, shall have the power to expend more than three hundred dollars for any one specific purpose, whether settlement for the same shall be made in one or more payments, unless it be first approved by the mayor. But nothing in this proviso shall be held to apply to the consumption of water or gas, nor to contracts made with such laborers or other persons as are ordinarily

Contracts to
be approved
by the mayor
except, etc.
S. 1891, c. 364,
§ 35.

¹ Amended July 12, 1894.

employed in the various departments, in the performance of the regular work or labor thereof, whether such contracts be by the day, month or year.

SECT. 9. All boards and officers shall be governed in their purchases by the provisions of this chapter.

Purchases to be made in accordance with this chapter.

SECT. 10. All advertisements for proposals and purchases shall be published in one or more papers of the city, not exceeding four, and elsewhere if necessary, and a copy of such advertisement shall be sent to the auditor for preservation.

Advertising for proposals.

SECT. 11. Whenever advertisements for proposals for any work to be done for the city, or for any materials or supplies to be furnished, are made, the board or officer in charge of the work to be done shall cause suitable plans and specifications, and schedules of materials or supplies, to be prepared and shown to parties proposing to bid.

Plans, etc., to be shown to bidders.

SECT. 12. Every officer and board authorized to purchase, on behalf of the city, materials or supplies, shall advertise for proposals for the same, whenever the cost may reasonably be expected to exceed the sum of three hundred dollars, unless otherwise specially directed by the city council.

To advertise for proposals for purchases of more than \$300.

SECT. 13. Every contract exceeding three hundred dollars for any work to be done for the city, or for any materials or supplies to be furnished the city, shall be accompanied by a suitable bond for the performance of the same, or by the deposit of money or security to the amount of such bond. No proposal shall be accepted from or for any person who shall have broken a contract with the city during the three years preceding. All written contracts shall be executed in triplicate, and one of said copies shall be deposited with the auditor.

Contracts to be accompanied by bond.

SECT. 14. No proposal shall be received from any person offering to contract for such work, unless the same is enclosed in a sealed envelope or wrapper. Such proposals shall be at once placed in a sealed box in the department calling for the proposals, and the clerk of committees shall hold the only key to such box. All proposals shall be opened, read and recorded in the city hall, at the hour and place designated in the advertisement, in the presence of the mayor or such person as he may designate. The contract shall be awarded to the lowest bidder complying with the terms; *provided*, however, if any such proposals shall be offered by persons who, in the judgment of the board, or officer issuing the advertisement, shall be incompetent to preform their contracts in a workmanlike manner, or irresponsible in respect to their means of faithfully executing the same, such proposals may be rejected, notwithstanding the same be at a lower rate than other proposals offered for the same work, and the next higher

Contracts to be in triplicate.

Proposals to be sealed and kept in a sealed box.

Key of the box.

Opening proposals.

Contracts to be awarded to lowest bidder, etc.

bidder shall be substituted; and *provided*, also, in all cases, that the board or officer may reject all bids and issue new advertisements. All bids shall be preserved by the board or officer issuing the advertisement on the records of its department, and shall be open to public inspection after the contract has been awarded, and accepted by the bidder.

Bids to be preserved.

Contracts to be in writing.

SECT. 15. In all cases where the amount of any contract shall exceed the sum of three hundred dollars, the contract shall be in writing; and, after being signed by the parties, no such contract shall be altered, in any particular, without the consent of the contractor, and of the board or officer making the contract, indorsed thereon. And all payments for extra work shall be made at the time of the final payment on such contract.

Extra work on contracts.

Alteration of contract.

SECT. 16. Every contract shall provide that, in case of any alteration, so much of such contract as is not necessarily affected by the change shall remain in force upon all parties thereto. It shall also provide that no payment for work done under such alterations shall be made until the completion of the whole contract, and also that the adjustment and payment of the bill then rendered for such work shall release and discharge the city from any and all claims or liability on account of any work performed under such contract, or any alteration thereof.

Payment on contract.

Contracts for more than one year not to be made.

SECT. 17. No board or officer shall make any contract in behalf of the city the execution of which shall necessarily extend beyond one year from the date thereof, unless special permission so to do has been given by vote of the city council, or of the branch having authority therein, or by the statutes of the commonwealth.

Contracts shall provide for the retention of a sufficient amount to pay mechanics' claims for labor.

SECT. 18. In every contract entered into on behalf of the city, and involving the employment of mechanics or laborers by the contractor, a provision shall be inserted to the effect that the board, or other authority making such contract, may, if it deems it expedient to do so, retain out of any amounts due to such contractor sums sufficient to cover any unpaid claims of mechanics or laborers for work or labor performed under such contract for thirty-five days after the completion of the work under the contract.

Removals of subordinates.

Cause to be recorded.

SECT. 19. Whenever any officer or board in charge of a department shall remove any subordinate, the order of removal and the cause assigned therefor shall be entered in full on the records of the department in which he served. Every such officer and board shall to the best of his ability cause all statutes, ordinances, regulations and orders relating to the duties of his department to be observed and enforced.

Officers and boards not to expend money until appropriated.

SECT. 20. No officer or board in charge of a department shall, unless specially authorized thereto by statute, make any expendi-

ture or incur any liability on behalf of the city for any purpose or object, until an appropriation sufficient to meet such expenditure or liability, together with all other expenditures and liabilities which he or it proposes to make, and which are properly chargeable to the same appropriation, has been made therefor; nor shall he or it exceed any specific appropriation made for his department,¹ nor shall any officer or member of a board, unless thereto authorized by the mayor or city council, apply for, object to, or advocate before the legislature any special act relating to the city of Cambridge.

Expenditure shall not exceed appropriations.

SECT. 21. Every officer and board in charge of a department shall keep records of the acts and doings of the departments, in books kept specially for the purpose. All records and files, shall, under the supervision of the officer in charge of the department, be open to public inspection, and any person may take notes therefrom; but this shall not apply to matters on which final action has not been taken, which the mayor is of opinion should not be made public, or to the records of the proceedings of the various committees kept by the clerk of committees.

Officers and boards shall keep records of acts, etc.

To be open to public inspections, etc.

SECT. 22. Every officer or board in charge of a department issuing a license or permit, shall insert therein a condition that the person accepting the same shall conform to all statutes and ordinances, and also to the specifications in the license or permit; that the license or permit may be revoked at any time by the authority issuing it; that the violation of any of its specifications shall work an immediate revocation of the license or permit; and that such person shall indemnify and save harmless the city from any damage it may sustain, or be required to pay, by reason of the doing of the work licensed or permitted, or by reason of any act or neglect of himself or of any of his employees relating to such work, or by reason of any violation of any specification; *provided* that nothing herein contained shall be construed to prevent the insertion of any other conditions and limitations deemed advisable by the authority issuing such license or permit.

Licenses to contain conditions, etc.

SECT. 23. Every officer and board in charge of a department shall, annually, before the twentieth day of January, send to the mayor an estimate in detail of the appropriations which will be required to enable the department to perform its duties and works during the next financial year, and also an estimate of all income to be received from any source by the department during the said year.

Officers and boards to send estimates for annual appropriations to mayor. S. 1891, c. 364, § 36.

SECT. 24. Every officer required to give a bond to the city shall furnish sureties upon the same, and whenever the mayor shall demand shall furnish a new bond or surety.

Bonds of city-officers.

¹ A amended June 6, 1894.

Committee on finance.

SECT. 25. There shall be appointed, at the commencement of each municipal year, a committee on finance, consisting of the president and three members of the board of aldermen, the president and five members of the common council.

Appointment of.

Duties of.

SECT. 26. The committee on finance shall, at the close of each municipal year, and as much oftener as they deem it expedient, examine and audit the accounts of the treasurer; and for that purpose shall have access to all books and vouchers in his possession, or in possession of the auditor or any other officer of the city. They shall also examine all notes and securities in his hands belonging to the city, and make report thereof to the city council.

Carriages, how furnished.

SECT. 27. No carriage shall be furnished at the expense of the city, except upon an order therefor signed by the mayor,¹ president of the board of aldermen, the president of the common council, or the acting chairman of any committee of the city council; and such order shall state the purpose for which the carriage is required, and shall accompany the bill therefor as a voucher.

All boards, etc., shall report annually. S. 1891, c. 364, § 18.

SECT. 28. All boards, commissioners, trustees, and officials having charge of city property or the expenditure of appropriations, unless otherwise provided in these revised ordinances, shall report to the city council annually in December.

The report shall contain a statement of receipts and expenditures for the year ending November thirtieth, a schedule of materials, tools and property of all kinds on hand December first, and their estimated value.

Report of the superintendent of public buildings.

The report of the superintendent of public buildings shall contain a description of all real estate belonging to the city, with the estimated value of each parcel of land and of each building.

2

Salaries.

Salaries of certain city officers.

SECT. 30. The officers of the city, hereinafter named, shall receive the following salaries, which are annual and to be paid monthly unless otherwise stated :

Mayor	\$3,500 00
City treasurer and collector	3,000 00
City clerk	3,000 00
Assistant city clerk	³ 1,400 00
Clerk of common council	300 00
City auditor	2,100 00
Assessors, each	⁴ 2,000 00

¹ Amended Dec. 28, 1892.
² Section 29 repealed April 27, 1893.
³ Repealed March 22, 1893.
⁴ Repealed Dec. 19, 1894.

Assistant assessors, each (per day)	\$4 00
City engineer	3,000 00
Treasurer of commissioners of sinking funds	300 00
City solicitor	¹ 3,500 00
Clerk of committees	2,400 00
Superintendent of streets	2,000 00
Chief engineer of fire department	² 1,800 00
Call district chiefs of fire department, each	375 00
³ Captains of hook and ladder companies :	
First twelve months of service	880 00
Second twelve months of service	980 00
After two years of service	1,080 00
Captains of steam fire-engine companies, each	220 00
Lieutenants of steam fire-engine and hook-and-ladder companies, each	210 00
⁴ Enginemen of steam fire engines :	
First twelve months of service	⁵ 1,020 00
Second twelve months of service	1,100 00
After two years of service	1,200 00
⁶ Assistant enginemen of steam fire-engines and tillerman of the Hayes truck :	
For first twelve months of service	820 00
For second twelve months of service	920 00
For third twelve months of service	1,020 00
⁷ Drivers in Fire Department and enginemen of chemical engines :	
First twelve months of service	820 00
Second twelve months of service	920 00
After two years of service	1,020 00
⁸ Call members of the Fire Department :	
Captains	245 00
Lieutenants	235 00
Members	225 00
⁹ Permanent lieutenants of hook-and-ladder truck companies in Fire Department :	
For first twelve months of service	1,020 00
For second twelve months of service	1,035 00
After two years of service	1,050 00

¹ Amended Sept. 4, 1895.

² Amended March 6, 1895.

³ Amended May 24, 1893.

⁴ Amended May 24, 1893.

⁵ Amended June 13, 1895.

⁶ Amended March 28, 1894.

⁷ Amended May 24, 1893.

⁸ Amended May 23, 1895.

⁹ Amended Oct. 19, 1898.

Inspector of wires	1,000 00
City messenger	1,800 00
Superintendent of lamps	1,000 00
¹ Inspector of milk and vinegar	900 00
² Inspector of provisions and of animals intended for slaughter, etc.	700 00
³ Sealer of weights and measures	1,000 00
⁴ City physician	1,500 00
⁴ Superintendent of public buildings	2,000 00
⁵ Commissioner of bridges	700 00
⁶ Election officers :	
Wardens, clerks and inspectors, for each day's actual service, each, per day	8 00
Deputy officers, who shall be in attendance at the opening of the polls, each, per day.	1 50
Registrars of voters, each	500 00
Clerk of the board of registrars of voters	100 00

Salaries to be
in full.

SECT. 31. The above-mentioned salaries shall be in full for all services rendered by such officers in their official capacities.

Compensation
of janitors.

SECT. 32. Janitors of public buildings other than school-houses shall receive such compensation as may be recommended by the superintendent of public buildings and approved by the city council, or by some committee by it authorized.

Janitors of
school-houses.

Janitors of school houses shall receive such compensation as may be recommended by the mayor and approved by the city council, or by some committee by it authorized.

⁷SECT. 33. Whenever, by reason of his length of service, the pay of any member of the fire department is to be increased, notice thereof shall be sent to the mayor by the chief engineer, before placing the name of such member upon the pay roll at the increased rate of compensation.

¹ Amended April 27, 1893.
² Amended March 30, 1893.
³ Amended Feb. 21, 1896.
⁴ Amended Dec. 30, 1896.
⁵ Amended Dec. 28, 1892.
⁶ Amended Oct. 16, 1895.
⁷ Amended April 6, 1898.

GENERAL ORDINANCES

CHAPTER 29.

SALE AND DELIVERY OF ICE.¹

SECTION 1. Every person, firm or corporation before selling or delivering ice in this city after the first day of February, A. D. 1898, shall prior to such sale or delivery register at the office of the board of health the name and location of the body or bodies of water from which said ice so to be sold or delivered has been cut, or from which the water has been taken for its manufacture. Such registration shall be subscribed and sworn to by the person so proposing to sell or cause to be delivered said ice, or in the case of a firm, by one of the members of the firm, or in the case of a corporation by the president, general manager, or one of the board of directors of the corporation.

Sale and delivery of ice.

SECT. 2. Every person, firm or corporation who sells, delivers or causes to be delivered ice in this city after the first day of February, A. D. 1898, shall permit the board of health and its inspectors at all reasonable times to have access to and freely examine the ice intended for such sale or delivery, and shall permit samples to be taken by said board or its inspectors for the purpose of analysis.

Inspection of ice by board of health.

SECT. 3. The board of health shall investigate the sources of supply of ice so sold or delivered and cause inspection and analysis to be made of the ice from said sources. And if upon such investigation, inspection and analysis and upon hearing, it shall deem and adjudge ice derived from any source to be impure and injurious to the public health, it may prohibit the sale or delivery in this city of such ice or of any other ice which has been intermingled with ice from such source. Notice of such prohibition shall be given in the manner provided by law for giving notice of the regulations of the board of health, and such notice shall be deemed legal notice to all persons.

Sources of supply of ice.

SECT. 4. Any person, firm or corporation after the first day of February, A. D. 1898, who shall sell or deliver or cause to be sold or delivered or shall have in his, their or its possession with intent to sell or deliver in this city ice the source of which has not been registered as above provided, or ice the sale and delivery of which has been prohibited and notice thereof given as above provided, or who shall violate any of the provisions of section two of this ordinance, shall be liable to a penalty not exceeding twenty dollars for each offence.

Penalty.

¹ Approved Dec. 29, 1897.

CHAPTER 30.

¹ LICENSES AND PERMITS AND BONDS FOR THE SAME.

Licenses and permits, issuing of.

SECTION 1. All licenses and permits hereinafter issued to any person, persons, firm or corporation, under any ordinance or order of the city council or either branch thereof, shall be issued subject to the condition that the same may be revoked at any time, at the option of the department or body from which the same were issued, or at the option of any future department or body.

Bond.

SECT. 2. Such licenses and permits shall have no force or validity, until a bond or other satisfactory security shall be given to the city indemnifying and saving harmless the city from all liability, loss and expense whatsoever which the city may incur and suffer arising out of the issuing of such license or permit with such surety or sureties and in such amounts as may be satisfactory to the city auditor and approved by the mayor.

Additional sureties to be furnished.

SECT. 3. Additional sureties shall be furnished on all such bonds mentioned in section 2 of this ordinance, as well as on all bonds heretofore given under any ordinance or order of the city council or either branch thereof whenever, in the manner and as often as in the opinion of the department or body from which the licenses and permits were issued, or any such future department or body, it seems to be for the best interests of the city to require the same.

Premises to be restored at licensees cost.

SECT. 4. In addition to and as a further condition of the bond so as aforesaid to be given, the person or persons so licensed or permitted, by an agreement satisfactory to the city solicitor, for themselves, their heirs, successors and assigns shall agree to restore at their own expense and cost the premises, concerning which the license or permit was originally given, to the same condition in which the premises were at the time of the granting of such license or permit.

Examination of sureties.

SECT. 5. The sufficiency of all sureties upon all bonds hereafter given to the city shall be examined at least once every year under the direction of the city auditor who shall report the result of such examination to the respective department or other body which issued the license or permit, or any succeeding department or body.

Repeal.

SECT. 6. All existing ordinances and parts thereof, in so far as they are inconsistent with this ordinance, are to that extent hereby modified or repealed, otherwise this ordinance shall be in addition to all existing ordinances having reference to the matters herein contained.

¹ Approved July 2, 1896.

CHAPTER 31.

CITY SEAL.



¹SECTION 1. The following shall be the device of the seal of the city, to wit: In the centre thereof a shield bearing upon it a view, on the right the towers of Gore Hall, and on the left the Washington elm; under the shield the inscription shall be, "*Cantabrigia Condita A. D. 1630; Civico Regimine Donata A. D. 1846.*" Around the seal, as the city motto, shall be the words, "*Literis antiquis novis institutis decora.*"

Device.
P. S. c. 3, § 3.
cl. 19.

SECT. 2. The city clerk shall be the custodian of the city seal.

Custodian of
seal.
P. S. c. 205, § 26.

SECT. 3. This ordinance shall take effect on the first day of January, A. D. 1897.

¹ Amended Dec. 4, 1896.

CHAPTER 32.

CITY SCALES AND WEIGHERS.

Public scales to be established and erected. P. S. c. 60, § 32.

Weighers to be appointed.

Weighers' oath.

Duties of weigher. P. S. c. 60, § 33.

Form of certificate.

Weigher to keep record.

Fees for weighing. P. S. c. 60, §§ 33, 39.

Weighers to keep scales clear of snow, etc.

Compensation of weighers.

SECTION 1. The board of aldermen shall, from time to time, establish as many scales for the weighing of hay and other articles as the public good may require, and cause the same to be erected and furnished with decimal weights, which shall be used in all cases; and the mayor, subject to confirmation by the board of aldermen shall appoint suitable persons to weigh hay and other articles thereon according to law.

SECT. 2. The persons so appointed shall be sworn to the faithful performance of their duties.

SECT. 3. Every such weigher shall be at or near the scales of which he has the charge at all reasonable times, ready to weigh all articles offered for that purpose. He shall deliver to the driver or owner of every load weighed a certificate under his hand, specifying the name of the driver or owner, his place of residence, the name of the article weighed, the weight thereof, and the tare, the date and the fees charged. He shall keep a true account of all articles weighed by him, and record the same in a book kept for the purpose, which shall at all times be open for public inspection, and, when filled, be delivered to the city clerk. The said record shall contain the same particulars that are required to be stated in the certificate described in this section.

SECT. 4. The fees for weighing to be received by the weighers, which they shall pay to the treasurer quarterly, shall be as follows, to wit: One cent and a half for every hundred pounds of hay or straw; one-half of a cent for every hundred pounds of coal, pig iron, ice or sand; and one cent for every hundred pounds of any other article: *provided*, however, that the fees for weighing any article other than hay or straw shall never be less than ten cents; and *provided*, further, that the fees for weighing stone shall be ten cents for a single load, and fifteen cents for a double load. The vehicle containing the same, and other tare, shall be weighed without charge, and no fees shall be taken for weighing done on account of the city.

SECT. 5. It shall be the duty of the weighers to keep the scales under their care clear of snow and ice, so that they shall be in good condition for use at all times, and the sealer of weights and measures shall have the general control and supervision of all such scales.

SECT. 6. Each weigher shall receive as full compensation for his services a sum equal to one-half of the fees received by him.

CHAPTER 33.

WARDS.

SECTION 1. The five wards of the city shall be constituted and known as follows : Five wards.

Ward One. Beginning at the boundry line between Cambridge and Belmont, on Concord avenue ; thence by the centre of Concord avenue to Bond street ; thence by the centre of Bond street to Garden street ; thence by the centre of Garden street to Shepard street ; thence by the centre of Shepard street to North avenue ; thence by the centre of North avenue to Sacramento street ; thence by the centre of Sacramento street to the boundary line between Cambridge and Somerville ; thence by said boundary line to a point which would be met by the central line of Dana street, if extended northerly to said boundry line ; thence by a line to Dana street, and by the centre of Dana street to Main street ; thence by the centre of Main street to Mount Auburn street ; thence by the centre of Mount Auburn street to Putnam avenue ; thence by the centre of Putnam avenue to Western avenue ; thence by the centre of Western avenue to the boundary line between Cambridge and that part of Boston formerly Brighton ; thence by said boundary line to the boundary line between Cambridge and Watertown ; thence by the last-mentioned boundary line to the boundary line between Cambridge and Belmont ; thence by the last-mentioned boundary line to the point begun at.

Boundaries of the several wards. See S. 1886, c. 283, and S. 1891, c. 364, § 3.

Ward I.

Ward Two. Beginning at the boundary line between Cambridge and Somerville, at a point which would be met by the central line of Dana street, if extended northerly to said boundary line ; thence by a line to Dana street, and by the centre of Dana street to Main street ; thence through the centre of Main street to Norfolk street ; thence by the centre of Norfolk street to Washington street ; thence by the centre of Washington street to the junction of Washington and Main streets ; thence by a line at a right angle southerly to the water ; thence by the water to the mouth of Broad canal ; thence by the centre of Broad canal to North canal ; thence by the centre of North canal, and northerly, in a line continued therefrom, to the boundary line between Cambridge and Somerville ; thence by said boundary line to the point begun at.

Ward II.

Ward Three. Beginning at the water, at the mouth of Broad canal ; thence by the centre of Broad canal to North canal ;

Ward III.

thence by the centre of North canal and northerly, in a line continued therefrom, to the boundary line between Cambridge and Somerville; thence by said boundary line to the waters of Charles River; thence by the water to the point begun at.

Ward IV.

Ward Four. Beginning at the boundary line between Cambridge and that part of Boston formerly Brighton, on Western avenue; thence through the centre of Western avenue to Putnam avenue; thence through the centre of Putnam avenue to Mount Auburn street; thence through the centre of Mount Auburn street to Main street; thence through the centre of Main street to Norfolk street; thence through the centre of Norfolk street to Washington street; thence through the centre of Washington street to the junction of Washington and Main streets; thence by a line at a right angle southerly to the water; thence by the water to the point begun at.

Ward V.

Ward Five. Beginning at the boundary line between Cambridge and Belmont, on Concord avenue; thence by the centre of Concord avenue to Bond street; thence by the centre of Bond street to Garden street; thence by the centre of Garden street to Shepard street; thence by the centre of Shepard street to North avenue; thence by the centre of North avenue to Sacramento street; thence by the centre of Sacramento street to the boundary line between Cambridge and Somerville; thence by said boundary line to the boundary line between Cambridge and Arlington; thence by the said last-mentioned boundary line and the boundary line between Cambridge and Belmont to the point begun at.

Number of members of the common council to be elected by each ward.
S. 1891, c. 364, § 3.

SECT. 2. The ward herein designated as ward one shall elect four members of the common council; the ward designated as ward two shall elect five members of the common council; the ward designated as ward three shall elect four members of the common council; the ward designated as ward four shall elect five members of the common council; the ward designated as ward five shall elect two members of the common council.

CHAPTER 34.

WARRANTS AND ELECTIONS.

SECTION 1. The form of warrants for calling meetings of the citizens of the several wards within their respective voting precincts, shall be as follows, to wit: —

Warrants. S. 1891, c. 364. § 5.

City of Cambridge.

To either constable of the city of Cambridge, Greeting: In the name of the Commonwealth of Massachusetts, you are hereby commanded forthwith to warn the inhabitants of Ward No. , Precinct No. , in said city, qualified as the law directs, to assemble at the polling place in said precinct, on the day of , at o'clock in the noon, then and there to give in their ballots for .

Form of warrants.

Hereof fail not, and make due return of this warrant with your doings thereon to the city clerk five days at least before the said day of meeting.

Witness , Esquire, president of the board of aldermen of our city of Cambridge, the day of , in the year one thousand eight hundred and By order of the board of aldermen,

Approved,

City Clerk.

Mayor.

SECT. 2. All warrants for calling meetings of the citizens of the several wards within their respective voting precincts shall be issued by the board of aldermen and signed by the city clerk, shall be served by a constable of the city, and by him returned to the city clerk five days at least before the time of meeting therein specified.

Warrants, how issued, and by whom served and returned. P. S. c. 27, § 119.

SECT. 3. Every such warrant for calling meetings of the citizens of the several wards within their respective voting precincts, shall be served by posting an attested copy thereof at or near the polling place in the voting precinct named in the warrant, seven days at least before the time of meeting.

Service of warrants.

SECT. 4. The board of aldermen shall fix the times for opening and closing the polls, at meetings held for the election of all officers, and shall state the same in the warrants for calling the meetings.

Time of opening and closing polls to be fixed and inserted in warrants. S. 1890, c. 423. S. 1891, c. 314.

Form of warrants for general meetings.

How served and returned.

Proceedings at general meetings.

SECT. 5. All warrants for calling general meetings of the inhabitants of the city shall be substantially in the form prescribed in the first section, except that such meetings shall be held at such place in the city as the board of aldermen shall direct. They shall be served by a constable of the city, by posting one copy thereof in each of the several voting precincts, not less than seven days before the time of meeting, and be returned to the board of aldermen.

SECT. 6. The city clerk shall attend all general meetings of the citizens which may be held by virtue of warrants issued by the board of aldermen; shall open such meetings by reading the warrant therefor; and shall continue to preside thereat until a moderator is chosen. He shall keep, in a separate book, a record of the proceedings of such meetings, and shall insert in the record copies of all reports or other documents upon which said proceedings have been founded.

CHAPTER 35.

BRIDGE CHARITABLE FUND.

SECTION 1. The fund given to the city by the late Levi Bridge shall be called the Bridge Charitable Fund; and the income therefrom shall be applied in accordance with the provisions of his deed of trust. Name of fund.
How to be applied.

SECT. 2. The mayor, the president of the board of aldermen, and the president of the common council, shall be the trustees of said fund. Trustees, of whom to consist.

SECT. 3. Said trustees shall have the care and management of said fund, and shall keep the same invested in such manner as they deem expedient. Care of fund.

SECT. 4. The mayor shall be, *ex officio*, chairman of the board of trustees; and the trustees shall keep a record of their doings, and, at the close of each financial year, make a report thereof to the city council. Annual report.

CHAPTER 36.

SANDERS TEMPERANCE FUND.

Name of fund.	SECTION 1. The fund of ten thousand dollars, given to the city by the will of the late Charles Sanders, shall be called the Sanders Temperance Fund.
Trustees.	SECT. 2. The mayor, the president of the board of aldermen and the president of the common council, shall be the trustees of said fund.
Duties of trustees.	SECT. 3. Said trustees shall have the care and management of said fund, and shall keep the same invested in notes of the city, with interest payable quarterly, at six per cent., to the order of the trustees; and they shall appoint an agent to be employed in the manner provided in the will of the donor of this fund, who shall receive his salary in equal quarterly payments from the trustees, and shall hold his office at their pleasure.
Shall appoint an agent.	
Chairman of board.	SECT. 4. The mayor shall be, <i>ex officio</i> , chairman of the board of trustees, and they shall keep a record of their doings, and annually, at the close of each financial year, make a report thereof to the city council.
Annual report.	

CHAPTER 37.

TRUANTS.

¹SECTION 1. Any minor, between the ages of seven and fifteen **Truants, etc.** years, convicted of being an habitual truant, or wandering about in the streets or public places of Cambridge, having no lawful occupation or business, not attending school, and growing up in ignorance, and such children as persistently violate the reasonable rules and regulations of the public schools, shall be committed to the Middlesex Truant School for a term not exceeding two years. The Middlesex County Truant School is the place provided for the confinement, discipline, and instruction of such children.

¹ Amended Dec. 19, 1894.

CHAPTER 38.

WORKHOUSE.

Workhouse
established for
employment
and support of,
various
classes.
P. S. c. 33, § 1.

SECTION 1. There shall be established in the city of Cambridge a workhouse for the employment and support of the following description of persons, that is to say, poor and indigent persons that are maintained by, or receive alms from, the city; persons who, being able of body to work, and not having estate or means otherwise to maintain themselves, refuse or neglect to work; persons who live a dissolute, vagrant life, and exercise no ordinary calling or lawful business; and persons who spend their time and property in public houses, to the neglect of their proper business, or who, by otherwise misspending what they earn, to the impoverishment of themselves and their families, are likely to become chargeable to the city.

Almshouse to
be the
workhouse.

SECT. 2. The present almshouse is hereby constituted and declared the workhouse of the city, as set forth in the first section of this chapter.

CHAPTER 39.

DOGS.

SECTION 1. No person shall own or keep in the city any dog which by barking, biting, howling or in any other manner, disturbs the quiet of any person. Whoever violates this provision shall be liable to a penalty not exceeding ten dollars. P. S. c. 102, §§ 109, 110.

CHAPTER 40.

SHUT-OFFS IN GAS SUPPLY PIPES.

Gas furnished
any public
building.

Whenever gas is furnished to any public building hereafter constructed and used as a church, public school, or public hall, or as an apartment or tenement house containing four or more suites of rooms, or as a manufactory when supplied by service pipe of not less than one inch in diameter, there shall be placed a proper shut-off in the supply pipe outside of such building, the expense thereof to be borne by the person or company supplying the gas.

CHAPTER 41.

GUNPOWDER AND EXPLOSIVE COMPOUNDS.

SECTION 1. No gunpowder shall be kept within the city, unless it is well secured in tight casks or canisters, and no person shall store or keep for sale gunpowder or any other explosive compound in any building other than described in section seven of this ordinance.

Gunpowder, how to be kept. P. S. c. 112, § 56.

SECT. 2. No gunpowder above the quantity of fifty pounds shall be kept or deposited in any shop, store or other building, or in a ship or vessel, which is within the distance of twenty-five rods from any other building or from a wharf.

Above fifty pounds not to be kept within twenty-five rods, etc. P. S. c. 102, § 6.

SECT. 3. No gunpowder above the quantity of twenty-five pounds shall be kept or deposited in any shop, store or other building within ten rods of any other building.

Above twenty-five pounds not to be kept within ten rods, etc. P. S. c. 102, § 6.

SECT. 4. No gunpowder above the quantity of one pound shall be kept or deposited in any shop, store or other building within ten rods of any other building, unless the same be well secured in copper, tin or brass canisters, holding not exceeding five pounds each, and closely covered with copper, tin or brass covers, according to the fifty-sixth section of the one hundred and second chapter of the Public Statutes.

Above one pound not to be kept within ten rods, etc., unless, etc. P. S. c. 102, § 56.

SECT. 5. No gunpowder exceeding the quantity of one hundred pounds shall be conveyed through the city, unless the same be enclosed in tight casks, boxes or canisters, that shall prevent the escape of any particle of their contents, and conveyed in a vehicle closely and entirely covered with leather or painted canvas, the bottom and sides of which vehicle shall be lined with leather, or felt, or some other soft substance, so as to prevent friction; nor shall any two or more vehicles, containing gunpowder in any quantity, be allowed within sixty rods of each other; nor shall any vehicle containing gunpowder be allowed to remain in the city over night, nor to stand more than ten minutes within two hundred yards of any dwelling-house; nor shall any team conveying gunpowder be driven at a speed greater than a walk.

Above one hundred pounds not to be conveyed through city, unless, etc. P. S. c. 102, § 60.

Vehicles containing gunpowder.

SECT. 6. Every vehicle, for the conveying of gunpowder in or through the city, shall be subject, at all times, to the inspection of the mayor, any alderman, police officer, or engineer of the fire department.

Inspection of vehicles containing gunpowder. P. S. c. 102, § 60.

SECT. 7. All persons who shall store or keep for sale gunpowder or any other explosive compound above the quantity of

Persons
keeping
explosive
compounds in
any building
shall notify
chief engineer
of fire
department.
S. 1882, c. 269.

one pound in any building shall, immediately on the receipt of such gunpowder or other explosive compound, deliver to the chief engineer of the fire department a statement in writing of the amount of such gunpowder or other explosive compound kept or proposed to be kept, together with an accurate description of the building and of the room or rooms of the building in which the same is kept, or is proposed to be kept.



CHAPTER 42.

JUNK, OLD METALS AND SECOND-HAND ARTICLES.

SECTION 1. No person, corporation, member of a co-partnership or firm shall be a dealer in or keeper of a shop for the purchase, sale or barter of junk, old metals or second-hand articles, or collect or be a dealer in rags in this city unless duly licensed therefor by the board of aldermen, and unless such person, corporation, co-partnership or firm complies with all lawful ordinances and laws now and hereafter enacted and passed in reference and applicable to junk, old metals and second-hand articles.

Dealers in junk, etc., to be licensed.

SECT. 2. Each license issued to such dealers in junk, old metals and second-hand articles and collector and dealer in rags shall set forth the name of the party licensed, the nature of the business, and the building or place in which it is carried on, and shall continue in force until the first day of May next ensuing, unless sooner revoked. The place of business shall not be changed during the continuance of the license except by special consent of the board of aldermen to removal is obtained. The fee for such license shall be two dollars. No such license shall be transferable.

Form of license.

Fee.

SECT. 3. Every such dealer in or keeper of a shop for the purchase, sale or barter of junk, old metals, or second-hand articles, shall keep a book in which shall be legibly written in the English language at the time of every purchase of any such article, a description thereof, the name, age and residence, giving street and number, when possible, of the person from whom and the day and hour when such purchase was made. No entry in such book shall be changed, erased, obliterated or defaced. Such book, any such shop and all articles of merchandise therein shall at all times be open to the inspection of the mayor and aldermen, or either of them, and of any person by them or either of them respectively authorized in writing to make such inspection upon exhibiting such written authority to such dealer or keeper.

To keep record of purchases, etc.

SECT. 4. Every keeper of such shop as is mentioned in the preceding section shall put in some suitable and conspicuous place on his shop a sign having his name and occupation legibly inscribed thereon in large letters, so that the same may be distinctly seen.

To put signs on shops.

¹ Amended Dec. 28, 1898.

Not to make purchases, etc., from minors, etc.

SECT. 5. No keeper of such shop shall, directly or indirectly, either purchase or receive by way of barter or exchange any junk, rags, old metals or second-hand articles of a minor or apprentice, knowing or having reason to believe him to be such, without the consent in writing of the parent or guardian of such minor or master of such apprentice.

Not to sell articles within one week.

SECT. 6. No article purchased or received by any such dealer or keeper of such shop shall be sold until a period of at least one week from the date of its purchase or receipt has elapsed.

Hours when shops may be kept open.

SECT. 7. No keeper of any such shop shall have his shop open for the transaction of business nor shall he purchase or sell or barter any junk, old metals or second-hand articles except between sunrise and ten o'clock in the evening of any week day.

Vehicles shall be subject to inspection, etc.

SECT. 8. Every vehicle used in the collection of junk, old metals, rags or second-hand articles shall be at all times subject to the inspection of the mayor or board of aldermen, or either of them, or of any person by them or either of them respectively authorized in writing to make such an inspection upon exhibiting such written authority to the person driving or having charge of such vehicle. Every such vehicle shall have the name of the owner and the number of his license placed upon the outside of each side of his vehicle, in plain, legible letters and figures of not less than one and one-half inches in height, and so that the same may be distinctly seen.

Revocation of license.

SECT. 9. A violation of any provision of this or any subsequent ordinance that may be passed in the premises shall of itself be sufficient cause and reason to revoke any such license. The board of aldermen reserves the right at any time for any other cause sufficient to them to revoke any such license.

Penalty.

SECT. 10. Whoever not being so licensed keeps such shop or is such collector, dealer or being licensed keeps such shop or is such dealer in any other place or manner than that designated in the license shall forfeit twenty dollars for each offence; and whoever violates any provision of this ordinance or any rule, regulation or restriction contained in his license, shall forfeit a sum not exceeding twenty dollars for each offence.

CHAPTER 43.

PETROLEUM.

SECTION 1. Any person desiring to manufacture, refine, mix, store, or keep for sale any oil or fluid, composed wholly or in part of any of the products of petroleum, in any place, except as provided in the seventy-second section of chapter one hundred and two of the public statutes, shall apply in writing for a license therefor, to the board of aldermen; and shall state in his application the place, building, or part of a building, for which he desires a license, and whether he desires a license for manufacturing, refining and mixing said articles, or any of them, or a license for storing or keeping them, or both. Such application shall be referred to the chief engineer of the fire department, who shall, within one week from the time of such reference, examine, or cause to be examined by one of the call district chiefs, the place or building described in such application, and report in writing to the board of aldermen his opinion of the propriety of granting the license: but this section shall not apply to quantities not exceeding fifty gallons kept by families for their private use, nor to quantities not exceeding one hundred gallons kept in manufactories for use on the premises.

License for manufacture and storage of petroleum to be obtained of board of aldermen. P. S. c. 102, §§ 73, 75.

SECT. 2. No license shall be granted for manufacturing, refining, mixing, storing or keeping said articles, or any of them, upon any alley, sidewalk, street or wharf, nor upon any floor of a building above the first floor.

No license to be granted for certain places.

SECT. 3. No license shall be granted for mixing, storing or keeping crude petroleum, naphtha, or gasoline, in any part of a building above the cellar, unless said articles are contained in metallic vessels securely closed.

Petroleum to be kept in metallic vessels in certain cases.

SECT. 4. No license shall be granted for, and no person shall sell or keep for sale at retail, for illuminating purposes, refined petroleum, or any product of petroleum, unless the same has been inspected and approved by an inspector duly authorized by some city or town in this Commonwealth.

No license to be granted unless inspected. S. 1885, c. 122.

SECT. 5. Except as hereinbefore provided, licenses may be granted for manufacturing, refining, mixing, storing and keeping said articles, or any of them, in cellars, or upon the first floor of buildings, or in other suitable localities, in such quantities over one hundred gallons, and in such a manner as the board of aldermen may determine, except that no license shall be granted for

Licenses may be granted under certain restrictions.

manufacturing, refining, mixing, storing or keeping said articles, or any of them, upon the first floor of any building in a greater quantity than four hundred gallons, unless the same be contained in metallic vessels securely closed, or the foundations and walls of said building be of brick, stone or iron, and the sills or walls of said building be built without apertures for a space of at least one foot above the floor.

License to express certain facts, etc.

SECT. 6. There shall be expressed in said license the name of the person to whom the license is granted, and whether he is permitted to manufacture, refine and mix said articles, or any of them, or to store or keep them, or both; and a description of the place, building or part of a building licensed, and any limitations upon the quantity of said articles, or any of them, which may be manufactured, refined, mixed, stored or kept therein, or upon the manner of manufacturing, refining, mixing, storing or keeping the same, which the board of aldermen may in each case see fit to impose; and any person so licensed may manufacture, refine, mix, store or keep said articles, or any of them, according to the terms of his license, either on his own account or on account of any other person.

Premises to be open to the inspection of certain officers.

SECT. 7. Any person holding such a license shall allow the chief engineer of the fire department, or any of the call district chiefs, or any inspector appointed by the board of aldermen, to enter the premises described in the license, and take such samples of oils, and make such examinations of the premises, as said engineers or inspectors deem expedient. Any violation of the terms of said license shall work a revocation of the same, and the board of aldermen may revoke such license at any time.

Violation.

Chief engineer to make complaints and bring suits.

SECT. 8. The chief engineer of the fire department shall make complaint to the third district court of Eastern Middlesex of all violations of the provisions of section seven of chapter fifty-nine or of sections sixty-nine to seventy-five, inclusive, of chapter one hundred and two of the public statutes, and bring suits in the name of the mayor of the city against all persons who manufacture, refine, mix, store or keep for sale any oil or fluid, composed wholly or in part of the products of petroleum, without the license required by this chapter.

CHAPTER 44.

UNDERTAKERS.

SECTION 1. Annually, in the month of January, or within sixty days thereafter, the mayor, subject to confirmation by the board of aldermen, shall appoint a suitable number of undertakers, who shall hold office for one year from the first Monday in February in the year of their appointment, unless sooner removed. No person, except such undertaker, or one appointed by him acting in his place, shall bury or remove the body of any deceased person, or undertake the management of any funeral.

Undertakers, appointment of
P. S. c. 32, § 6.

SECT. 2. Whenever any person dies within the limits of the city, the nearest relative, or the person in whose house the death occurred, or any other person who has first become informed of the event, shall cause the same to be made known to an undertaker as soon as practicable. Any undertaker informed of the decease of any person within the limits of his district, shall take the personal charge of all necessary arrangements for the removal and burial of the body of the deceased, and shall be responsible for the decent, orderly and faithful management of the funeral undertaken by him, and for a strict compliance with the ordinances of the city in this behalf.

No other person to bury or remove dead body.

Notice of death to be given to an undertaker.

SECT. 3. Each undertaker may employ porters of a discreet and sober character to assist him, and he shall be accountable for their conduct. Said undertakers and porters may be removed at the pleasure of the mayor and aldermen. No person not appointed as aforesaid shall open any tomb or grave for the purpose of depositing or removing a dead body, without the permission of the board of health.

Duties of undertakers.
P. S. c. 207, § 24.

Undertakers may employ porters.

Opening of graves.

SECT. 4. For services rendered in accordance with the provisions of this chapter, an undertaker shall be entitled to receive the following fees, and no more, to wit: —

Fees of undertakers.

For a hearse with one horse, five dollars.

For a hearse with two horses, six dollars.

For services of himself and of his assistants at the house, and in carrying the body from the house to the grave or tomb, — for a person twelve years of age and upwards, four dollars; for a person less than twelve years of age, two dollars and fifty cents.

For carrying a body out of the city, he shall be allowed, in addition, fifty cents for every mile which he shall carry the same beyond the limits of the city.

The foregoing table of fees shall be printed upon the license issued to an undertaker.

Fees for
returning
deaths.
P. S. c. 32, § 4.

The compensation required by law to be paid for obtaining and returning the information required by statute concerning persons deceased, shall be understood as included in the foregoing fees.

CHAPTER 45.

GENERAL REGULATIONS FOR STREETS, COMMONS, RESERVOIRS,
AND OTHER PUBLIC PLACES.

Streets.

SECTION 1. No person shall remain for a longer time than twenty minutes upon a sidewalk in such a manner as to obstruct the free passage of foot travellers, or upon any doorstep, portico, or other projection from any building, to the annoyance or disturbance of any person, nor shall any person habitually loiter and remain upon a sidewalk in said manner, after having been within three months previously requested by a police officer to cease so doing, nor shall any person remain on a sidewalk in said manner for more than five minutes after being requested by a police officer to move on.

P. S. c. 27, § 15.
P. S. c. 3, § 3,
cl. 15.

Remaining on sidewalk so as to obstruct travel forbidden; penalty.

SECT. 2. No person shall climb a tree in any street, or fasten or tie a horse or other animal to, or post a bill upon, any such tree, or allow any horse or other animal owned by him, or under his control to stand so near any such tree, that such tree may be gnawed or otherwise injured by such horse or other animal so allowed to stand, and no person shall place a sign upon or around any tree on any street of the city.

Climbing trees, posting bills on trees, and tying horses to trees forbidden.
P. S. c. 54,
§§ 7, 8.

SECT. 3. No owner or person having the care of any domestic fowls, or any goats, sheep, swine, horses, oxen, cows, or other grazing animals, shall permit or suffer the same to go at large, or to graze on any street; ¹and no person shall publicly exhibit any animal in the streets or public places of the city except in accordance with a permit from the superintendent of the streets or a license from the board of aldermen.

Grazing animals, etc., feeding and going at large, forbidden.
P. S. c. 53, § 10.

SECT. 4. No person having the care or use of a horse or other beast of burden, carriage, or draught, shall ride, drive or permit such horse or other beast to go at a greater rate of speed than eight miles an hour in any street.

Fast driving prohibited; penalty.
P. S. c. 53, § 13.

SECT. 5. No person shall stop his team or carriage, or unnecessarily place any other obstruction, on any flagging-stones or other footways laid in or across any street, nor suffer his wagon or other vehicle to remain an unnecessary length of time in any street.

Teams not to stop on flagging stones.

SECT. 6. No person shall, by any noise, gestures, words or other means, wantonly and designedly frighten or drive any horse in any street.

Frightening horses forbidden.

¹ Amended June 30, 1893.

Carriages and horses not to be cleaned in streets, etc.

SECT. 7. The owners and occupants of stables shall not wash or clean carriages or horses in the streets, or cause them to be there washed or cleaned, nor shall they otherwise encumber the streets.

Gaming, or exposing gaming devices forbidden.

SECT. 8. No person shall expose, in or upon any street, public ground or common, any table or device of any kind, by or upon which any game of hazard or chance can be played; nor shall any person play any such game at such table or device, in or upon any street, public ground or common.

No tables, stalls, etc., in street without permission.

SECT. 9. No person shall place or keep any table, stall, booth or other erection, in any street, public place or any sidewalk, for the sale of fruit or other things, without permission from the mayor.

Discharge of fire-arms forbidden.

SECT. 10. No person shall, except in the performance of some legal duty, discharge any gun, pistol or other fire-arm, within the city limits.

No bonfires allowed.
P. S. c. 206, § 12.

SECT. 11. No person shall make a bonfire in any street.

Injuring guide-boards, lamp-posts and trees forbidden.
See P. S. c. 203, § 76.

SECT. 12. No person shall injure, deface or destroy any guide-post or guide-board, any lamp-post, or lamp or lantern thereon; or any tree, building, fence, post or other thing, set, erected or made for the use or ornament of the city.

Defacing property forbidden.

SECT. 13. No person shall paint or draw any words or figures, or post any written or printed matter, upon the property of any private person or corporation, without the consent of the owner or occupant thereof, nor upon any property of the city, without the consent of the mayor.

Also playing ball, throwing stones, etc.

SECT. 14. No person shall play ball, or throw a stone, or a snow ball, or other missile in any street, or upon or from any bridge.

Also using bow and arrow.

SECT. 15. No person shall shoot with or use a bow and arrow or air-gun in a street, or upon or from any bridge.

Also coasting, except, etc.
P. S. c. 53, § 15.

¹SECT. 16. No person shall coast upon a sled on any street of this city without the written permission of the mayor; and without such written permission no person, in any public street or square of this city, shall ride a bicycle or tricycle at a rate of speed exceeding ten miles an hour, and only for the time, and upon such portions of the public ways, streets, or squares aforesaid as may be specified in said permit. Such reasonable conditions shall be attached to such permits as the mayor may deem proper, and in accord with the circumstances and for the occasion for which the permits may respectively be granted. Between the hours of eight o'clock in the morning and five o'clock in the afternoon, children under the age of fourteen years may use velocipedes on any sidewalk in any public way,

Riding bicycle and tricycle.

Use of velocipedes.

street, or square of this city. In no part of any public grounds, commons, enclosures, and parks, now or that hereafter may be under the general charge of the park commissioners, shall children use a velocipede without the written permit of the park commissioners.

SECT. 17. No person in a nude state shall swim or bathe in any of the waters within or surrounding the city, so as to be exposed to the view of passengers or other persons in any street or house within the city.

Also bathing in view of spectators.

SECT. 18. No person shall shake or otherwise clean a carpet in any street.

Also cleaning carpets.

SECT. 19. No person shall have in his possession a club or bludgeon, on any street, with intent to use the same in a sport, sham-fight or strife, or to intimidate any person or horse.

Possession of clubs, etc., forbidden.

SECT. 20. No person shall have in his possession a toy-pistol, crotch, rubber sling, or other device for throwing missiles of any kind, with intent to use the same to the injury of persons or property, or to the annoyance or discomfort of any person, upon any street.

Also toy pistols, rubber slings, etc S. 1882, c 272.

SECT. 21. No person shall behave himself in a rude or disorderly manner, or use any indecent, profane or insulting language, in any street or public place.

Also disorderly conduct on street.

SECT. 22. No person shall place in any drinking fountain, trough, or basin of water, set up or established in any street in the city, for the use of man or beast, any dirt, stone, ashes, rubbish, offal, filth or any other foreign matter,¹ or unnecessarily waste or use the water thereof.

No dirt, etc., to be placed in any drinking fountain, etc.

SECT. 23. No person shall light or extinguish, without authority, any public lamp in any street.

Lighting, etc., street lamps without authority forbidden.

SECT. 24. No person shall, without authority from the mayor, place or carry, or cause to be placed or carried, on a sidewalk, a show-board, placard, or sign for the purpose of there displaying or attracting attention to the same.

Show-boards, etc., not to be carried on sidewalk.

SECT. 25. No person shall drive, ² ride, wheel, or draw any coach, cart or other carriage, or permit any horse, cattle, swine or sheep, under his care, to go upon any sidewalk, except for the purpose of crossing as nearly as may be at right angles to such sidewalk in order to go into or out of some adjoining enclosure; *provided*, that this section shall not apply to children's carriages or sleds containing children and drawn by hand; nor shall he otherwise occupy, obstruct, injure, or encumber any such sidewalk so as to interfere with the convenient use of the same by travellers.

Vehicles, horses, etc., prohibited on sidewalks. P. S. c 53, § 15.

¹ A amended June 29, 1899.

² A amended Sept. 21, 1893.

Obstruction of sidewalks by lumber, boxes, etc.

SECT. 26. No person shall place, or cause to be placed, upon any sidewalk, any lumber, iron, coal, trunk, bale, box, crate, cask, package, article or thing whatsoever, whether of the same description or not, so as to obstruct a free passage for travellers for more than fifteen minutes.

Tipping over of ash-barrels, etc., forbidden.

No person shall wilfully and maliciously tip over and spill out the contents of any box or barrel containing ashes or other house dirt set upon the sidewalk. No person shall throw or place upon any sidewalk or cross-walk any banana skin, orange peel or other slippery substance.

Bridges.

Bridges, regulations concerning.

SECT. 27. No person shall deface or injure any public bridge or any wharf connected therewith, or unnecessarily open the draw of any such bridge, or obstruct the passage of the same; nor shall any person, without the consent of the draw-tender, make fast to any public bridge, or draw, or guard, or pier thereof, any vessel, scow, raft, or float, or remain inside of the draw-gates, or on any pier, wharf, fender, or appurtenance of such draw while such gates are closed; nor shall any person, having under his charge a vessel passing through the draw of any such bridge, refuse or neglect to comply with the directions of a draw-tender relating to such passing.

Commons and Public Grounds.

Trees, climbing, tying animals to, and posting bills on, forbidden.

SECT. 28. No person shall climb a tree on any common or other public ground, nor tie a horse or other animal to, nor post a bill, nor place a sign upon or around any tree on any common or other public ground of the city.

Horses not allowed on, except, etc.

SECT. 29. No person, except by permission of the mayor, shall ride, lead, or drive a horse, in or upon the commons or other public grounds, except that on occasion of a military exercise, parade or review, horses necessary for the purposes thereof may be allowed upon any common, or other public grounds, used for such exercise, parade or review.

Grazing animals not allowed on.

SECT. 30. No owner or keeper of a horse or other grazing animal shall suffer the same to go at large or feed upon any common or other public grounds.

Turf, etc., not to be dug, etc.

SECT. 31. No person, except by permission of the mayor, and for some public use, shall dig or carry away any sward, gravel, sand, turf, or earth from, nor carry or caused to be carried upon any common or other public grounds, any carcass, ordure, filth, dirt, stones or any offensive matter whatever, or throw or place thereon any stones, sand, gravel, tan, earth, rubbish or other substance.

Filth, dirt, etc., not to be placed on.

SECT. 32. No person shall carry or cause to be carried upon any common or other public grounds, a wheelbarrow, handcart,¹ or other vehicle, for the conveyance of burdens, or for pleasure, except children's carriages. Wheelbarrows, etc., not allowed on.

SECT. 33. No person shall shake or otherwise clean a carpet on any common or other public grounds; and no person shall commit a nuisance thereon; ² and no person other than an employee of the city engaged in its work shall pick over or otherwise disturb any refuse material, house dirt, or ashes set out in the streets or sidewalks for collection by the city, or deposited by the city on any dumping-place, except in accordance with a permit from the board of health. Cleaning carpets forbidden.

SECT. 34. No person, except by permission of the mayor, shall engage in a game of ball, boot-ball, or base-ball, or other athletic sports upon any common, or other public grounds, except upon such portions thereof as may be set apart for such purposes. Athletic sports not allowed, except, etc.

SECT. 35. No person, except by permission of the mayor, shall deliver a sermon, lecture, address, or discourse on any common or other public grounds. Nor public speaking.

SECT. 36. No person, except by permission of the mayor, shall expose for sale or sell any goods, wares or merchandise on any common or other public grounds, nor erect nor maintain a booth, stand, tent or apparatus of any kind, for purposes of amusement or show thereon. Nor sales of goods, etc., nor booths, tents, etc.

SECT. 37. No person shall pull up, break, cut or deface any of the seats, fences, or railing upon or around any common or other public grounds, nor deface any monument or statue on any common, nor interfere with any of the hydrants upon any common or other public ground. Injury to seats, fences, etc., forbidden.

SECT. 38. No person shall walk, stand, sit, or lie down in or upon, or pull a flower or plant out of a flower-bed on any common or other public grounds, nor suffer a dog or other animal belonging to him, or in his charge, to stand or walk upon such flower-bed. Walking, etc., on flower-beds forbidden.

SECT. 39. No person shall walk, stand, or lie upon the grass upon any common or other public grounds where such walking, standing or lying has been prohibited, and notice of such prohibition given to the public by legible notices placed on such common or public ground. Also walking, etc., on grass.

SECT. 40. No person shall throw a stone, snowball or other missile on any common or public grounds. Also throwing missiles, etc.

SECT. 41. Whoever violates any provision of the preceding sections of this chapter shall be liable to a penalty of not more than twenty dollars for each offence. Penalty.

¹ Amended Dec. 5, 1894.

² Amended June 30, 1893.

Reservoirs for Water Supply.

Fishing,
swimming,
bathing, etc.,
forbidden.
P. S. c. 27, § 18.

SECT. 42. Fresh Pond is hereby constituted a reservoir, storage basin and water supply for the use of the city. No person shall fish, or swim, or bathe, or permit any animal under his control to swim or bathe in Fresh Pond, or other reservoir of the water-works, or enter into the waters thereof, or place or use a boat in the same, or throw dirt, rubbish, filth, offensive or other foreign matter, or commit a nuisance therein, or on the land and driveways of the city connected therewith and appurtenant thereto.¹ *Provided*, however, that the water board may permit fishing in Fresh Pond Reservoir between the hours of four and eight o'clock A. M., under such rules and restrictions as it may establish from time to time, to control the same.

Going upon
the ice, etc.
forbidden.

SECT. 43. No person shall go upon the ice of Fresh Pond, or any other reservoir of the water-works, or place or use a sled, ice-boat, sleigh or vehicle thereon; *provided*, that skating shall be permitted during the daytime on those parts of Fresh Pond where the ice is of sufficient thickness for safety, under such regulations as the water board may prescribe to prevent loss of life.

Skating
permitted.

Heavy
teaming
forbidden on
driveway.

SECT. 44. No person shall drive a team, cart, wagon or other vehicle, for the conveyance of burdens, upon the land and driveway connected with, and appurtenant to, Fresh Pond.

Also funeral
processions.

SECT. 45. No person shall drive or conduct a funeral, or a hearse or carriage connected with a funeral, on the driveway of Fresh Pond.

Also fast
driving.

SECT. 46. No owner or other person having for the time being the charge or use of a horse or other animal, shall drive or permit such horse or other animal to go at a greater rate of speed than eight miles an hour upon the driveway or within the enclosure of Fresh Pond.

Injury to trees,
etc., forbidden.

SECT. 47. No person shall injure, deface or destroy any tree, shrub, grass, path, fence, building or wall on the land and driveway connected with, and appurtenant to, Fresh Pond, or other reservoir of the water-works, or dig or carry away the sward, gravel, rock, stones, sand, turf or earth on such land and driveway.

Also climbing
trees, etc.

SECT. 48. No person shall climb a tree on the land connected with, and appurtenant to, Fresh Pond or other reservoir of the water-works, or tie a horse or other animal to a tree or fence on such land.

Also posting
bills, etc.

SECT. 49. No person shall post a bill, placard or advertisement within the grounds connected with Fresh Pond or other reservoir of the water-works.

Penalty.
P. S. c. 27, § 18.

SECT. 50. Whoever violates any provision of the preceding eight sections of this chapter shall be liable to a penalty of not more than fifty dollars for each offence.

¹ Amended April 3, 1895.

¹CHAPTER 46.

RINGING OF BELLS AND GONGS IN THE PUBLIC STREETS.

SECTION 1. No person in any public street of the city shall ring a bell or gong, between the hours of ten o'clock P. M., and six o'clock A. M., except as a warning of danger. Ring^{ing} of
gongs
prohibited, etc.

SECT. 2. Whoever violates any provision of this ordinance shall be liable to a penalty of not more than twenty dollars for each offence. Penalty.

¹ Approved July 28, 1897.

¹ CHAPTER 47.

DISPOSAL OF LITTER AND RUBBISH IN STREETS, COMMONS, PUBLIC PLACES AND SQUARES.

Disposal of
litter, etc.,
in streets.

SECTION 1. Except as heretofore otherwise provided by ordinance, no person shall deposit, drop, place, put, sweep or throw into or upon any street, common, public place or square in this city any ashes, board, bottles, bricks, card, cinders, house dirt, iron or steel filings, glass, hand-bill, hair, piece of hoop, noxious or refuse liquor, manure, nail, offal, waste paper, sawdust, shavings, shells of any kind, shreds, soot, stones, animal or vegetable substance, solid matter or substance, sweepings, tin cans, wood, or filth, or rubbish of any kind.

Penalty.

SECT. 2. Whoever violates, causes, assists in or procures the violation of any provision of this ordinance shall be punished by a fine not exceeding twenty dollars for each offence.

¹ Approved May 5, 1897.

¹ CHAPTER 48.

CHILDREN UNDER SIXTEEN YEARS OF AGE.

SECTION 1. No child under sixteen years of age, shall be, loiter or remain upon any street, highway, park or other public way or place in this city after the hour of half past nine o'clock in the afternoon of any day, unless accompanied by, or under the control or care of a parent, guardian or other adult person, or performing or returning from employment or from the performance of some duty, directed in writing by said parent, guardian or other adult person, and no such child, while performing such duty, or returning from the performance thereof, or from employment, shall loiter upon any such street, highway, park or other public way or place.

Children under sixteen years of age not to loiter in street, etc., after 9.30 P. M.

SECT. 2. Any persons violating any of the provisions of this ordinance shall be liable to a penalty not exceeding five dollars for each offence.

Penalty.

¹ Approved July 27, 1898.

¹CHAPTER 49.

CONTINUANCE OF PAY OF CITY EMPLOYEES.

Employee,
injured, to
petition city
council, etc.

SECTION 1. Every employee of the city injured while in the performance of his duty without fault on his part, in order to entitle him to compensation under chapter 364 of the acts of 1894 and any and all acts that may be enacted in addition thereof and supplementary thereto, shall petition the city council upon blanks to be prepared by the city solicitor, in which petition shall be set forth the time, place, and cause of the injury and his willingness to communicate and disclose all facts and circumstances relating and appertaining to said injury.

Petition
referred to
committee on
claims.

SECT. 2. Said petition shall be forthwith referred to the committee on claims, who shall investigate and report upon the same with such recommendations as to the length of time, if any, for the continuance of the pay of the injured employee thereon as to the committee may seem proper.

City physician
and city
solicitor noti-
fied of injuries.

SECT. 3. Upon the happening of any accident to any employee, the city physician and city solicitor shall be forthwith notified by the department in which the injured person was then employed.

Investigation
relative to
injury.

SECT. 4. After an investigation of the facts relating to the injury and an examination from time to time of the injured person by the city physician as to the extent of the injuries, all of which shall be under the direction of the city solicitor, a report shall be made by the latter in which shall be annexed a certificate of the city physician in a form satisfactory and as the city solicitor may deem to be in accordance with the statutes in such cases now and hereafter provided.

Hearing.

SECT. 5. The committee on claims, in addition to the report of the city solicitor, may hear such other facts as they may deem proper and shall report thereon to the city council. If the committee is in favor of the continuance of pay of such employee, and if their report is adopted by the council and approved by the mayor, the amount so allowed shall be entered upon the books of and verified by the department in which the injured was employed at the time the injury was sustained.

Report of
committee.

SECT. 6. Upon a certificate of and verification by the superintendent or head of department in which the injured was employed that the time allowed by the committee is correct, the amount of wages shall be forthwith paid upon the draft of the mayor upon

Certificate
from head of
department
before pay-
ment is made.

the execution by the injured person of a receipt and release in full of all demands against the city for any and all injuries arising out of or in any way connected with said injury.

SECT. 7. Should the disability continue beyond the time of the first payment or thereafterwards appear, further payments may be had and made from time to time upon other petitions of the injured, after investigation and report thereupon by the committee on claims, upon the certificate of the city physician, the adoption of the same by the city council and approval of the mayor, under the general forms, provisions and conditions as are hereinbefore provided.

Further pay-
ment should
disability
continue.

1 CHAPTER 50.

CITY PHYSICIAN.

City physician,
appointment
of.

SECTION 1. The city physician at the time of his appointment shall be a resident of Cambridge, a graduate of a legally incorporated medical school and have practised as such physician for at least five years continuously prior to his appointment.

Duties.

SECT. 2. It shall be the duty of the city physician to attend, under the general direction of the overseers of the poor, upon all sick and insane paupers and other patients under the care of the city authorities at the almshouse or elsewhere ; to vaccinate, free of charge, all persons sent to him by the overseers of the poor, and such scholars of the public schools as the school committee shall direct, and all other needy residents of the city who may apply to him ; to give certificates of examination to such children of the public schools as he shall have effectually vaccinated ; to examine all candidates for appointment to the police force and fire department ; under the direction of the city solicitor to examine the condition of all officers upon the police force and fire department and all employees of the city incapacitated from the performance of their several duties and all cases of injuries upon the highway or elsewhere whereby the city may become liable, and render written report thereon to the city solicitor as and when required by the latter, together with such certificates as the law and ordinances may require ; upon application to sign the certificate of the cause of death to the best of his knowledge and belief, if there has been no physician in attendance ; at the request of the officers in charge upon the police stations and lockups to attend and give, free of charge, the necessary medical and surgical treatment to the prisoners therein ; at the request of the city solicitor to render such professional aid in court or otherwise as the latter may designate, in all suits and matters wherein the city is or may be interested ; in case of an alarm of any infectious or contagious disease, or other cause of nuisance, to give to either branch of the city council or any committee thereof all such professional advice, service and counsel as they may require ; and in general, to perform all the duties and render all the services now and that hereafter may be incumbent upon him by the laws of the commonwealth or the ordinances of the city now or that hereafter may be in force.

¹ Approved Oct. 22, 1896.

SECT. 3. The city physician shall receive such salary as the city council may by ordinance from time to time determine, which shall be in full of all services performed by him. He may expend to an amount not exceeding appropriations made for that purpose such sums as he may necessarily expend in the administration of the affairs of his office. He shall keep an account of his expenditures and certify by his signature upon all bills his approval of the same, and the same shall be audited, charged and paid in the manner as now provided by ordinance for bills of executive boards and heads of departments.

Salary.

Account of expenditures.

SECT. 4. The city physician may employ such permanent assistant or assistants for such time and compensation as the city council may from time to time determine, and in all cases he shall be responsible for the conduct of such assistant or assistants.

Employment of assistants.

SECT. 5. Annually in the month of December the city physician shall make report to the city council of the professional services rendered by him, with such suggestions as he may deem proper.

Annual report.

STANDING REGULATIONS
OF THE
BOARD OF ALDERMEN

REGULATIONS OF THE BOARD OF ALDERMEN.

STREET RAILWAYS.

SECTION 1. No person having control of the speed of a street railway car shall allow the same to go in any street at a rate of speed greater than eight miles an hour, except that on¹ Massachusetts avenue, north of Harvard square, Garden street, Concord avenue, Huron avenue, Mt. Auburn street, west of Brattle street, and on Massachusetts avenue, southeast of Lafayette square, the rate of speed shall not be greater than twelve miles an hour, nor shall he allow such car while passing over a switch or a turn out, or in turning a corner to go faster than four miles an hour.

Street
railway.

SECT. 2. No driver, conductor or other person having the care and ordering of a street railway car shall allow such car to stop on a cross-walk nor in front of an intersecting street, except to avoid collisions or to prevent danger to persons in the street.

SECT. 3. When the driver, conductor or other person having the care and ordering of a street railway car is required to stop his car at the intersection of two streets to receive or land passengers, the car shall be stopped so as to leave the rear platform of the car or train slightly over the farther crossing.

SECT. 4. Except to prevent accident or injury, no street car, or any horse or horses attached thereto, shall be run or placed in the public streets within twenty-five feet of another street car in front thereof.

SECT. 5. There shall be two men in charge of each car at all times when the cars are in use.

INTELLIGENCE OFFICES.

SECTION 1. The chief of police shall have the general supervision of all matters pertaining to the licensing, regulating and restraining of intelligence offices. He shall keep a book, in which he shall register, alphabetically, the names of all persons licensed to keep intelligence or employment offices, together with the name and number of the street and the portion of the building which they occupy. And he shall see that each person licensed is furnished with a copy of the statutes and the rules and regulations of the board of aldermen, relating to the estab-

Intelligence
office.

¹ Amended March 20, 1895.

lishment and keeping of intelligence offices. He shall see that all persons licensed to keep the requisite books, and in all things conform to the requirements of the statutes and the rules and regulations. He shall be entitled to inspect, at any time, the books kept at licensed places as required by the rules of the board.

SECT. 2. All persons making applications for license to keep intelligence offices shall state in their petitions the place which they propose to occupy ; and no person licensed shall occupy any other place without leave first obtained of the board of aldermen.

SECT. 3. All persons licensed as aforesaid shall place in some conspicuous place on the premises occupied by them, a sign, with their names and the word "licensed" thereon ; and shall produce their license on the demand of any person doing business with them.

SECT. 4. They shall keep a book, in which shall be entered, at the time of application, the name and residence of any person who may apply for employment, and the name and residence of any person who may make application to be supplied with male or female domestics, servants, clerks or other laborers, and also any and all sums of money which may be received of any person for such services ; and such books shall at all times be open to the inspection of the board of aldermen, or any person by them authorized.

SECT. 5. Intelligence offices may be kept open for business between the hours of seven A. M. and eight P. M., Sundays excepted, and at no other hours.

SECT. 6. Every licensed keeper of an intelligence office shall be entitled to receive of each female, at the time of application for a place, a sum not exceeding fifty cents ; and of each male who shall make such application a sum not exceeding one dollar ; and of each person making application for female servants a sum not exceeding fifty cents ; and for a male servant a sum not exceeding one dollar, for which a receipt shall be given at the time ; and in case no servant or place of employment is obtained within six days from the date of payment, the money shall be refunded, except as follows : If either male or female shall be sent to a situation, and make an engagement, and go to work, and for any reason shall not remain at the place, neither party shall be entitled to have the pay returned.

SECT. 7. Any person licensed to keep an intelligence office, who shall violate any of the provisions of the preceding sections, or any other rules and regulations that may be hereafter passed by the board of aldermen, shall be liable to have his license revoked ; and any license may at any time be revoked for causes other than those specified.

MOVING BUILDINGS.

No license for the removal of any building through any public street, square or place shall be authorized until certificates have been presented to the board of aldermen from the superintendent of streets certifying the general conditions with regard to the streets, squares or places through which it is proposed to remove the building, from the inspector of buildings as to the safety of the structure to be moved,¹⁻² from the superintendent of parks of general conditions with reference to trees and the possibility of injury thereto, from the inspector of wires as to the conditions respecting electric wires on said route,¹ and, whenever it is proposed to move any building over and across any bridge which may be under the care of the commissioners of bridges, from the commissioner on the part of Cambridge, certifying the general condition of said bridge, and when the granting of such license is authorized it shall be upon the following conditions, viz. :

Moving
buildings

First.—Each and every chimney on said building shall be taken down even with the roof before the building is started.

Second.—The licensee shall give the chief engineer of the fire department and the inspector of wires notice of such removal, at least twenty-four hours before the building shall be placed in the street.

Third.—The licensee shall file with the superintendent of streets, before the building is placed in the street, a bond, the amount of which shall be satisfactory to the mayor, with sufficient surety to indemnify the city from all loss and damage by reason of such removal.

Fourth.—The licensee shall reimburse the city for any expenses incurred by it by reason of labor by any department of the city in cutting and replacing wires, trimming trees, or in any other way, by reason of said removal,³ and before receiving a license the licensee shall deposit with the superintendent of streets, the sum of twenty-five dollars, which sum shall be returned to the licensee when he has reimbursed the city for such expenses.

The above conditions shall be printed upon and become a part of each and every license issued.

⁴ MINORS' LICENSES.

SECTION 1. No minor shall sell or offer for sale upon the streets of this city any article named in said section 1, chapter 68, public statutes, unless licensed so to do in accordance with the provisions of this order.

Minors'
licenses.

¹ Amended Sept. 10, 1898.

² Amended March 24, 1898.

³ Amended April 23, 1895.

⁴ Amended Jan. 28, 1897.

SECT. 2. The licenses herein provided for shall be granted by the chief of police on application to him, to minors residing in the City of Cambridge. He shall keep a record of the name, age and residence of every person so licensed. No license shall be granted to a minor except upon application of his parent, guardian or next friend. The chief of police shall be entitled to receive the sum of eighty-five cents for issuing a license required by these rules and regulations, and shall furnish the licensee with a badge in conformity with the requirements of section 6 of this order. Said licensee may return such badge at any time upon the expiration or surrender of his license, and the person returning the badge shall be entitled to receive the sum of sixty cents therefor, provided such badge is in a reasonably good condition.

SECT. 3. No license shall be granted to any minor under the age of ten years, and every minor under the age of fifteen years so licensed shall each (school) day during the school year attend some school approved by the school committee.

SECT. 4. No sale of such articles shall be made by any minor under the age of fifteen years, between fifteen minutes before the opening and fifteen minutes after the closing of the school on any day in which said school which he is obliged to attend may be in session; nor shall the licensee offer such articles for sale on Sundays within two hundred feet of any place of worship.

SECT. 5. No license shall be granted to any minor who has at the time of his application permission to sell newspapers or periodicals on the street railway cars in this city, and the subsequent obtaining of this permission shall be a revocation of the license granted under the provisions of this order.

SECT. 6. While engaged in sale of any of the articles named in section 1, chapter 68, public statutes, every person so licensed shall wear in plain sight a badge with the words "Cambridge License," and the number thereon, and shall upon request of any city officer exhibit his license for inspection. No more than two licensees, and none other, shall be with, or accompany, or trade from any vehicle used in carrying or holding such article or products, and they shall at all times deport themselves in a respectful, orderly and quiet manner, and shall observe and follow any further orders or directions that may be given them by the board of aldermen, or any member of the police department, acting by the direction of that board.

SECT. 7. All such licenses shall expire on the 31st day of December in each year, and any of them may be suspended or revoked by the chief of police. Cruel treatment of animals, racing, or driving through the streets faster than allowed by law, profanity, impudent, indecent or violent language, or intemperance, one or all will be cause for revocation of the licenses.

¹ USE OF STREETS BY VEHICLES.

SECTION 1. Every vehicle, except street cars, bicycles and tricycles, which shall be used within the city of Cambridge for the conveyance of persons or goods of any description for hire from place to place within the city, before being so used, shall be licensed by the board of aldermen, and every vehicle so used for the conveyance of goods shall have placed upon the outside and upon each side of the same the name of the owner and the number of the license in plain, legible letters and figures, of not less than one and one-half inches in size, and so that the same may be distinctly seen.

SECT. 2. Upon each side of each hackney carriage so licensed there shall be fitted a lamp, which lamp shall always be kept lighted at night when the carriage is in use or waiting for passengers, and upon the glass covering of each of said lamps there shall be painted in black the number of the license in Arabic characters not less than one inch in size, and such numbers shall be preceded by the letter C, not less than one inch in size.

SECT. 3. Every hackney carriage shall carry its license so that it shall be accessible to passengers.

SECT. 4. No person shall set up and use or have charge of any hackney carriage which shall be used within the city of Cambridge for the conveyance of persons for hire from place to place within the city unless he is licensed thereto by the board of aldermen, nor unless the carriage is licensed, marked and numbered as provided in sections one and two, and carries its license as provided in section three.

SECT. 5. No person having charge of a hackney carriage shall solicit passengers, except by a motion of the hand, unless he is on or within ten feet of such vehicle.

SECT. 6. No person having charge of a hackney carriage shall solicit passengers in any public way or place within the city, unless he is licensed by the board of aldermen.

SECT. 7. The board of aldermen reserves the right to revoke any license at its discretion. If any person other than the owner or lessee shall take out a license for any such vehicle, he shall be liable to have his license revoked, and if any licensee shall cease to be an owner or lessee, he shall immediately surrender his license to the board of aldermen.

SECT. 8. The city clerk shall receive for the use of the city the fee of one dollar for every license so granted and for every license granted for a wagon stand, and shall keep a record of the same and of all licenses granted.

¹ Amended May 5, 1898.

SECT. 9. Each license so granted shall expire on the first day of May next, after the date thereof, and no license shall be sold, assigned or transferred without the consent of the board of aldermen.

SECT. 10. No vehicle shall be set up in front of any premises without the written consent of the owner or the agent of the owner, and the occupant of said premises.

SECT. 11. The person in whose name the license is taken out for any such vehicle shall for all the purposes of this rule be considered as the owner of the same, and liable to all the forfeitures and penalties herein contained, unless, upon the sale of such vehicle, written notice be given to the city clerk and the license returned to him forthwith.

SECT. 12. No owner, driver or other person having charge of any such vehicle shall suffer the same when attached to a horse to stop in a street without some proper person to take care of the same unless said horse is properly and securely fastened; but no person shall be deemed to have violated this provision who is a physician visiting the sick or who is delivering goods, or taking orders at any house, store, building or tenement.

SECT. 13. Each person who uses or sets up a vehicle from which fruit or other merchandise is sold, shall keep the space at and around his stand free and clear from all rubbish, filth and deposits of every name and nature coming from or in any way related to his business and in a manner satisfactory to the superintendent of streets.

SECT. 14. No person having charge of any hackney carriage shall receive or permit to be placed therein, or convey in or upon the same any person sick with any contagious disease, or the body of any person deceased from such disease.

SECT. 15. Every vehicle used, or to be used, for the conveyance of persons, except electric cars, bicycles and tricycles shall be deemed a hackney carriage within the meaning of the preceding sections.

SECT. 16. Whoever violates any of the aforesaid provisions contained in these rules shall be punished by a fine not exceeding twenty dollars for each offence.

¹ BILLIARD AND OTHER AMUSEMENT LICENSES.

All licenses granted for keeping billiard, pool and sippio tables, and bowling alleys, shall be subject to the condition that the licensed premises may be kept open only between the hours of seven o'clock A. M. and twelve o'clock P. M., Sundays excepted, and at no other hours.

Provided, that on Saturdays such licensed premises shall be closed at eleven and a half o'clock P. M.

¹ Amended April 27, 1898.

PAWNBROKERS, DEALERS IN JUNK, OLD METALS AND SECOND-HAND ARTICLES.

RULE 1. No person, corporation, member of a co-partnership, or firm shall, in this city, engage in or carry on the business of loaning money upon mortgages, deposits or pledges of wearing apparel, jewelry, ornaments, household furniture or other personal property (excepting, however, stocks, bonds, notes or other written or printed evidence of ownership of property or of indebtedness to the holder or owner of any such securities) or of purchasing such property on condition of selling the same back again at a stipulated price, unless such person, corporation, co-partnership or firm is licensed therefor by the board of aldermen of this city as pawnbroker, and unless such person, corporation, co-partnership or firm complies with all lawful rules, regulations and laws now and hereafter adopted, passed and enacted in reference and applicable to pawnbrokers.

RULE 2. No person, corporation, co-partnership or firm licensed as a pawnbroker in this city shall therein make any loan secured by mortgage or pledge of household furniture or any other personal property exempt from attachment or by assignment of wages for personal service, for less than two hundred dollars, and at a rate of interest greater than twelve per cent, without first having obtained a license from the board of aldermen of this city for carrying on such business.

RULE 3. Each license issued to a pawnbroker shall set forth the name of the party licensed, the nature of the business, and the building or place in which it is to be carried on; and shall continue in force one year from the date thereof, unless sooner revoked. The place of business shall not be changed during the continuance of the license except special consent of the board of aldermen to removal is obtained. The fee for such license shall be fifty dollars.

No such license shall be transferable.

RULE 4. No pawnbroker shall charge upon loans made by them a greater rate of interest than as follows, to wit:—

On the sum of \$1.00 or less, first week,¹ 5 cents; each week after, 2 cents.

On a sum of \$1.00 to \$3.00, first week,¹ 4 per cent; each week after,¹ 2 per cent.

On a sum of \$3.00 to \$10.00, first week,¹ 3 per cent; each week after,¹ 2 per cent.

On a sum of \$10.00 to \$25.00, first week,¹ 2¹ per cent; each week after,¹ 2 per cent.

¹ Amended July 8, 1899.

On a sum of \$25.00 to \$50.00, first week,¹ 2 per cent; each week after,¹ 1 per cent.

On a sum of \$50.00 to \$100.00, first week, $\frac{3}{4}$ per cent; each week after, $\frac{1}{2}$ per cent.

On a sum of \$100.00 to \$200.00, first week, $\frac{1}{2}$ per cent; each week after, $\frac{1}{4}$ per cent.

RULE 5. Every pawnbroker shall keep at his place of business a book in which shall be legibly written in the English language at the time of making every such loan a minute and accurate account and description of the goods, articles or things pawned or pledged, particularly mentioning any prominent or descriptive marks on the same, the amount of money loaned thereon, the day and hour of pledging the same, the rate of interest to be paid on such loan, with the name, age and residence, giving street and number when possible, of the person pawning or pledging such goods, articles or things. No entry in said book shall be changed, erased, obliterated or defaced.

RULE 6. Every such pawnbroker shall at the time of making such loan deliver to the person pawning or pledging any goods, article or thing, a memorandum or note numbered and signed by him, in a form satisfactory to the chief of police, containing the substance of the entry required to be made in his book by the preceding rule, and no charge shall be made or required by any pawnbroker for any such entry, memorandum or note.

RULE 7. Said book mentioned in rule 5 and the premises at which the business is carried on, all things pawned or pledged and stored therein, shall at all reasonable times be opened to the full inspection of the mayor, chief, deputy chief, captains, chief inspector of police, any member of the district police, or any person who shall be duly authorized in writing for that purpose by any or either of them, upon exhibiting such written authority to the pawnbroker.

RULE 8. Every such pawnbroker shall each day, before twelve o'clock M., cause to be made out and delivered to the police captain of the district in which his business is conducted, a substantial copy of the entry required to be made in his book during the preceding twenty-four hours, and the number of the note or memorandum given by him.

RULE 9. Every such pawnbroker shall post in his office or in some conspicuous way at his place of business a printed copy of chapter 497 of the acts of 1895, and sections seven, eight, ten, eleven and twelve of chapter 192, of all acts since passed and as they may hereafter be passed in amendment, supplementary or in repeal of the chapter and several sections just enumerated.

¹ Amended July 8, 1899.

RULE 10. No such pawnbroker shall directly or indirectly receive any article in pawn or pledge of any minor, knowing, or having reasonable cause to believe him to be such, without the consent in writing of the parent or guardian of such minor.

RULE 11. A violation of any of these rules or of any subsequent rules that may be adopted in the premises shall of itself be sufficient cause and reason to revoke any such license. The board of aldermen reserves the right at any time for any other cause sufficient to them to revoke any license issued to any such pawnbroker.

RULE 12. Every such pawnbroker shall at the time of receiving his license file with the city clerk a bond to the city with two responsible sureties, to be approved by the mayor in the penal sum of three hundred dollars, which bond shall be conditioned for the faithful performance of the duties and obligations pertaining to the business so licensed.

CONCERNING SMALL LOANS.

1. The board of aldermen, upon petition in form by them prescribed, will license such persons as to them may seem suitable to make loans secured by mortgage or pledge of household furniture or other personal property exempt from attachment, or by assignment of wages for personal service, for less than two hundred dollars, and at a rate of interest greater than 12 per cent, pursuant to and subject to the provisions of chapter 577 of the acts of the legislature of Massachusetts of the year 1898.

All such licenses shall continue in force for one year from the date thereof.

2. Applications for such licenses shall be made at least one month before the same are to be issued, and shall be published at the expense of the applicant to be paid in advance, by the board of aldermen, in two or more daily newspapers published in the city of Cambridge. Applications for such licenses shall be examined into and reported on by the chief of police. A fee of twenty dollars shall be paid for each such license at the time the same is issued.

3. Interest may be charged by persons licensed under this rule as follows: On loans not exceeding fifty dollars, at the rate of 24 per centum per annum; on loans of over fifty dollars, at the rate of 18 per centum per annum.

4. All persons licensed under this rule shall make a report to the said board in writing, of every suit brought upon any bond given by such licensee pursuant to the provisions of statute 1898, chapter 577, not later than ten days from the entry of the writ or other process by which such suit was commenced, which

statement shall set forth the *ad damnum* of the writ and the names and residences of the parties to such suit, the court in which it was brought and the docket number thereof, if any. And when any such suit is finally disposed of, either by judgment or decree, or by order of the court, or by settlement, such licensee shall, within twenty-four hours thereof, give notice to said board, in writing, setting forth the result of such suit or settlement, and the amount and terms of such judgment, order or decree, and the terms of such settlement, and the amount or other consideration given or promised therefor.

5. All persons licensed under this rule shall keep at their places of business a book in which shall be legibly written in the English language, at the time of making every such loan, a minute and accurate account and description of the goods, articles and things pawned or pledged (particularly mentioning prominent or descriptive marks on the same) or specifying the wages assigned, the amount of money loaned thereon, the day and hour when the mortgage or assignment was made, the date on which the debt is to become due, the rate of interest to be paid thereon, calculated at an annual rate of percentage, together with the name, age, residence, giving street and number, when possible, of the person pawning or pledging such goods, articles or things, or assigning such wages.

Every licensee shall enter in such book at the time of each payment by the borrower, the date of such payment, the amount then paid, a statement whether it is interest or a payment on account of principal, a statement of the total amount, both principal and interest, previously paid on such loan, and a statement of the amount still due on the principal after such payment.

There shall be a separate page or a separate portion of a page in such book for each loan, numbered consecutively, in which shall be entered all the entries and transactions relating to such loan and the number on such page or portion of a page shall correspond with the number on the memorandum or note to be furnished to the borrower as hereinafter specified. No entry in said book shall be changed, erased, obliterated or defaced.

6. Every such licensee shall at the time of making such loan deliver to the person pawning or pledging any goods, article or thing, a memorandum or note numbered and signed by him, in a form satisfactory to the chief of police, containing the substance of the entry required to be made in his book by the preceding rule, and no charge shall be made or required by any such licensee for any such entry, memorandum or note.

Whenever any payment is made on account of any such loan the person receiving the payment, or his principal, shall, when

payment is taken, endorse on the back of such memorandum or note the date of such payment, the amount then paid, a statement whether it is interest or a payment on account of principal, a statement of the total amount, both principal and interest previously paid on such loan, and a statement of the amount still due on the principal after such payment. And the person receiving such payment, or his principal, shall sign such endorsement. If such memorandum or note is lost or destroyed, the lender shall furnish the borrower, on demand, a duplicate of the same free of charge, setting forth all the endorsements that were or ought to have been upon the original or upon any duplicate thereof, at the time of its loss.

7. Said book mentioned in rule 5 and the premises at which the business is carried on, all things pawned or pledged and stored therein, shall at all reasonable times be open to the full inspection of the mayor, chief, deputy chief, captains, chief inspector of police, any member of the district police or any person who shall be duly authorized, in writing, for that purpose by any or either of them, upon exhibiting such written authority to the licensee.

8. Every such licensee shall each day, before twelve o'clock m., cause to be made out and delivered to the police captain of the district in which his business is conducted, a substantial copy of the entry required to be made in his book during the preceding twenty-four hours and the number of the note or memorandum given by him.

The information so received by the chief of police shall not be divulged by him except when he is required so to do by law or by order of the board of aldermen.

9. No such licensee shall directly or indirectly receive any article in pawn or pledge of any minor, knowing or having reasonable cause to believe him to be such, without the consent in writing of the parent or guardian of such minor.

10. A violation of any of these rules or of any subsequent rules that may be adopted in the premises, shall of itself be sufficient cause and reason to revoke any such license. The board of aldermen reserves the right at any time for any other cause sufficient to them, to revoke any license issued to any such licensee.

11. Every such licensee shall, at the time of receiving his license, file with the city clerk a bond to the city with two responsible sureties, to be approved by the mayor, in the penal sum of two hundred dollars, which bond shall be conditioned for the faithful performance of the duties and obligations pertaining to the business so licensed.

SALARIES OF CERTAIN OFFICERS.

Salaries of certain city officers.

The salaries of officers which are fixed by the board of aldermen are hereby fixed and established as follows, to wit:—

Superintendent of sewers	\$1700 00	per year
Soldiers' aid clerk	900 00	per year
Chief of police	⁷ 2000 00	per year
¹ Deputy chief of police	1500 00	per year
² Captains of police	1400 00	per year
Chief inspector (captain) of police	1400 00	per year
Assistant inspector (lieutenant) of police	³ 1200 00	per year
Sergeants of police	⁴ 1186 25	per year
Patrolmen, first two years of service	⁴ 912 50	per year
Patrolmen, after two years of service	⁴ 1042 86	per year
⁵ Patrolmen, after five years of service	1095 00	per year
⁴ Members of reserve police force, each	730 00	per year

⁴In estimating the years of service, the time spent as a reserve police officer shall be considered service as a patrolman within the meaning of this regulation.

⁶Whenever by reason of length of service the pay of a patrolman is to be increased, notice thereof shall be sent to the mayor by the chief of police, before placing the name of such patrolman upon the pay roll at the increased rate of compensation.

¹ Amended April 14, 1897.
² Amended April 16, 1895.
³ Amended Dec. 19, 1893.
⁴ Amended May 18, 1898.
⁵ Amended May 25, 1899.
⁶ Amended March 31, 1898.
⁷ Amended Oct. 10, 1899.



List of Public Statutes and Parts of Statutes requiring accept- ance which have been accepted by the City of Cambridge and the dates of such acceptances

PUBLIC STATUTES

CHAPTER 28.

Sections 17 to 22 inclusive:—

Relating to vacancies in the offices of mayor, alderman, member of common council, or any other office to be filled by popular election.

Duties of ward officers, and the removal of officers from one ward to another ward in the city, after election.

Corresponding provisions of chapter 19, General Statutes, to wit:— Sections 6 to 11 inclusive, were accepted October 31, 1860.

Section 23:—

Providing that the mayor or any alderman or member of the common council may at the same time hold any other office under the city government except one of emolument.

Accepted December 27, 1888.

CHAPTER 50.

Section 25. Apportionment of sewer and sidewalk assessments:—

The provisions of chapter 249, of the acts of the year 1878, which correspond to the provisions of the above-named chapter were *accepted by an ordinance passed November 19, 1879.*

CHAPTER 51.

Sections 1 to 10 inclusive:—

Authorizing the assessment of betterments on account of public improvements. *Accepted December 28, 1887.*

CHAPTER 58.

The inspection and sale of provisions and animals intended for slaughter. *Accepted February 5, 1890.*

CHAPTER 60.

Sections 32, 33 and 34. Authorizing the appointment of weighers of hay :—

The provisions of sections 72, 73, 74 and 75, of chapter 49, General Statutes, which correspond to the provisions of the above-named sections were *accepted January 9, 1861.*

CHAPTER 80.

Sections 8 to 12 inclusive. Authorizing the appointment of a board of health :—

The provisions of chapter 133, of the acts of 1877, which correspond to the provisions of the above-named sections, were *accepted November 6, 1877.*

CHAPTER 101.

Sections 1 to 5 inclusive :—

Burnt or dangerous buildings, adjudged nuisances and how such nuisances may be abated. *Accepted June 19, 1884.*

CHAPTER 102.

Sections 40 to 48 inclusive :—

Regulating the erection and maintenance of steam engines, furnaces and boilers. *Accepted January 29, 1890.*

Chapter 197, of the acts of the year 1845. Accepted May 12, 1845.

CHAPTER 104.

Section 1. Cities may make by-laws for the prevention of fires :—

The provisions of chapter 243 of the acts of 1872, which correspond with the provisions of the above-named section, were *accepted May 17, 1872.*

Sections 4 to 11 inclusive :—

The inspection of buildings. *Accepted January 23, 1885.*

CHAPTER 74. ACTS OF 1890.

In relation to the preservation of the public health in cities. *Accepted May 15, 1890.*

CHAPTER 341. ACTS OF 1892.

In relation to public parks. *Accepted June 15, 1892.*

CHAPTER 462. ACTS OF 1893.

In relation to establishing a building line on public ways.
Accepted July 28, 1893.

CHAPTER 337. ACTS OF 1893.

In relation to public parks. *Accepted June 7, 1893.*

CHAPTER 364. ACTS OF 1894.

Authorizing the city to continue the pay of disabled officers and employees in certain cases. *Accepted May 31, 1894.*

CHAPTER 481. ACTS OF 1894.

Sections 11, 14, 15, 16, 17, 18, 19, 20, 21, 22:—

Relative to the regulation and inspection of buildings. *Accepted November 21, 1894.*

CHAPTER 99. ACTS OF 1895.

Authorizing the city to establish hospitals for contagious diseases. *Accepted March 20, 1895.*

CHAPTER 71. ACTS OF 1895.

Authorizing city to establish fire limits. *Accepted March 27, 1895.*

CHAPTER 236. ACTS OF 1895.

Authorizing the placing of parks and commons under the charge of the park commissioners. *Accepted May 8, 1895.*

CHAPTER 173. ACTS OF 1896.

Amending Charter, etc. *Accepted April 1, 1896.*

CHAPTER 175. ACTS OF 1896.

Clay pits. *Accepted April 16, 1896.*

CHAPTER 238. ACTS OF 1896.

Building sewers by Cambridge and Somerville. *Accepted May 12, 1896.*

CHAPTER 455. ACTS OF 1894.

Plumbing: Supervision and licensing. *Accepted November 12, 1896.*

CHAPTER 314. ACTS OF 1896.

Reserve police force. *Accepted November 17, 1897.*



CHAPTER 462. ACTS OF 1893.

Building line on public ways. *Accepted April 13, 1898.*

CHAPTER 313. ACTS OF 1896.

As amended by chapter 379, acts of 1897. Building line and height of buildings on parkways, etc. *Accepted April 13, 1898.*

CHAPTER 179. ACTS OF 1899.

To vacate certain sewer assessments. *Accepted April 13, 1899.*

CHAPTER 275. ACTS OF 1899.

Drain by city of Somerville. *Accepted August 4, 1899.*

INDEX.

NOTE.— City Charter was approved by the Governor on May 29, 1891, and accepted by the voters at the annual election held December 8, 1891.

INDEX.

	PAGE
ABATEMENTS	
certificates of abatement of taxes, etc., to be addressed to treasurer	29
a copy thereof to be sent to the auditor	29
of water-rates. See WATER WORKS DEPARTMENT.	
ACCOUNTS. See AUDITOR'S DEPARTMENT, also ACCOUNTS, COMMITTEE ON.	
ACCOUNTS, COMMITTEE ON	
appointment of	32
of whom to consist	32-33
duties of	33
when to meet	33
to examine monthly bills	32
to accept form of auditor's books	32-33
to determine manner of keeping books, etc., of officers and heads of departments	32-33
to make annual report	33
to have right to inspect records of boards and officers showing moneys received for city	33
to examine all accounts and claims and compare with record shall receive monthly report of drafts from auditor	33 35
ACTS	
done not affected by these ordinances	19
ADMINISTRATION OF CITY GOVERNMENT.	4
ADVERTISEMENTS	
for proposals and purchases, how published	157
ALDERMEN, BOARD OF	
to consist of ten, and after 1892 of eleven persons	4
with board of common council, to compose city council	4
majority of, to constitute quorum	8
no member of, to receive compensation	8
election of	4-5
failure to elect	5
refusal to accept office	5
to be sworn	5
certificate of oath	6
vacancy in	5
quorum	8
special meetings of, how called	22
shall confirm or reject all nominations for appointments made by mayor	23
shall have the power of selectmen of towns	12
general duties of	11-12
annual convention with mayor and common council	5
shall sit separately, except	4
sittings of, to be public except, etc.	8

	PAGE
ALDERMEN, BOARD OF—Continued.	
votes on elections and confirmations to be public	8
board of, to judge of election and qualification of its mem- bers	11
and of the school committee	11
mayor shall not be a member of or preside at meetings	11
mayor shall not appoint any committees of	11
members of, not to hold offices of emolument	11
president of, how elected	11
his duties	11
president of, may call special meetings	11
shall take no part in the employment of labor	11
or the appointment or removal of officers except	11
may authorize construction, etc., of sidewalks	11
to fix the number and compensation of the police force	12
to make regulations for its government	12
may grant licenses to innholders, etc.	12
may grant licenses for manufacture of petroleum	183
may grant and revoke other licenses	12
may employ and remove clerks and attendants	12
shall locate poles, conduits, etc.	107-109
may give authority to license the removal of buildings through streets	133
public notice and hearing to be given before license is granted	133
may authorize the superintendent of streets to license plank sidewalks	134
may give authority to erect awnings	137
shall establish public scales	168
to issue warrants for elections, etc.	171
shall fix the time for opening and closing the poles	171
shall designate place for holding general meetings	172
standing regulations of	203
street railways, relating to	203
intelligence offices	203
moving buildings	205
minors' licenses	205
use of streets by vehicles	207
billiard and other amusement licenses	208
pawnbrokers, dealers in junk, etc.	209
concerning small loans	211
salaries of certain officers	214
may designate numbers to be affixed to buildings	129
not to act on mayor's appointments for one week	7
to fix amount of bonds of deputy collectors of taxes	10
may fill vacancies in offices filled by them	12
may call for information from officers and subordinates	13
city clerk shall attend all meeting	39
records of, to be kept by city clerk	39
city messenger shall attend all meetings	41
ALMSHOUSE. See OVERSEERS OF THE POOR DEPARTMENT. to be the workhouse of the city	176
AMBULANCE, Emergency. See POLICE OFFICERS.	
AMENDED CHARTER	4
AMUSEMENT LICENSES regulations concerning	208

	PAGE
ANIMALS	
not to be allowed to go at large, or feed in the streets. See	
DOG, HORSE.	
intended for slaughter, etc.	24-113
kept for the production of milk	24-113
ANNUAL MUNICIPAL ELECTION	
for choice of city officers, when holden	4
ANNUAL	
appointments of officers	6
APPEAL	
from estimate of damages sustained by laying out streets	9
APPOINTMENT	
of officers by the mayor	6
confirmation of	6
APPROPRIATIONS	
must be made by the city council	9-13
when expended, auditor to give notice to the mayor, city	
council, etc.	34
monthly and annual statements of auditor in regard to	34
notice of, to be furnished to auditor by the city clerk	39
for different departments, to be under supervision and con-	
trol of certain boards and officers	156
estimates for	13
on account of sinking funds	127
no contract to exceed	13
expenditures not to exceed	13-159
city council shall direct proper accounting for	9
heads of departments shall furnish estimates of, to mayor	13
mayor to examine estimates and submit to city council	13
ARROWS	
shooting with bow and, in streets forbidden	188
ASHES AND OTHER RUBBISH	
how removed	135
barrels containing, not to be maliciously tipped over	190
not to interfere with travel	136
if out at night to be lighted	136
disposal of, in streets	194
ASSESSORS' DEPARTMENT	
creation of	21
under charge of what officers	21-29
under control of mayor	21
election of assessors	5
their term of office	5
their duties	29
salary of	160
vacancies in, how filled	5-11-29
ordinance in relation to	29
to give whole time to their duties	29
to make returns to auditor of amount of tax warrant and	
other assessments	29
warrants to collector	29
apportionment of sewer and sidewalk assessments	30

	PAGE
ASSESSORS' DEPARTMENT—Continued.	
to keep a record of abatements	29
to address certificates of abatements to treasurer	29
to send copies of such certificates to auditor	29
assessments by, when to be made	29
list of assessments, when to be given to treasurer	29
ASSISTANT ASSESSORS	
to be appointed by mayor	7-24
confirmation of appointment	7
term of office	7
salary of	161
may be removed, how	7
ASSISTANT CITY CLERK	
election of	9
See CITY CLERK DEPARTMENT.	
ASSISTANT CLERK OF COMMITTEES	
appointment of	42
See CLERK OF COMMITTEES DEPARTMENT.	
AUCTIONEERS	
appointment of	24
AUDITING DEPARTMENT	
creation of	21
under charge of what officer	21-31
under control of mayor	21
ordinance in relation to	31
election of auditor	10
tenure of office	10-31
removal	10
salary, how fixed	31
vacancy in office of, how filled	31
bond	31
new bond, when required	31
general duties	31
salary of	160
to deliver property of city to successor, etc.	10
auditor to be sworn to the faithful discharge of his duties	10
office hours of	155
requisition for money to be paid out of treasury to be made upon	31
to examine requisitions	31
shall pass no claim without appropriation therefor	34
to keep book of accounts and claims allowed	32
to countersign drafts and orders on treasurer	23-34
to give treasurer certificates signed by him for all approved bills	32
form of such certificates	32
to require identification of persons seeking settlement of bills	34
to keep books stating amount of appropriations and expenditures	34
to give notice of expenditure of any appropriation to mayor	34
to furnish monthly statement to members of the city council and mayor	34
to countersign bonds, notes, etc., of city	23-34
to examine sureties on bonds annually	166

	PAGE
AUDITING DEPARTMENT — <i>Continued.</i>	
to countersign certain orders drawn by the mayor on the treasurer	32-34
to report drafts to committee on accounts	35
to make annual report	34
to charge mayor's orders on treasurer to proper account	32
to have custody of all bonds but his own	31
to receive notice from city clerk of all orders for expenditures, etc.	39
to receive daily reports of fees, etc., from the city clerk	39
his bond to be in custody of treasurer	31
assessors to make return to, of amount of tax warrant and other assessments	29
assessors to send to, copies of certificates of abatements	29
water registrar to make monthly report of bills and abatements to	150
treasurer to make monthly report to	141
treasurer to make monthly statement of fees, etc., received, to	142
to make up his accounts to include November 30	34
mayor shall approve all his drafts	23
shall keep a register of all bonds of city officers	31
shall notify mayor when such bond expires or security is impaired	31
shall refer doubtful accounts to mayor	32
shall have custody of bonds, notes, executions, etc., which have been paid	32
shall keep a registry thereof	32
shall give treasurer order for payment of same	32
shall keep books acceptable to the committee on accounts	32-34
shall receive, examine, and record all claims and accounts	31
accounts and claims to be approved by heads of departments committee on accounts to be appointed	33-35
duties of committee on accounts	32
mayor may draw orders for advances on contracts	33
or for any sum or order of city council for weekly payment of employees	33
for salaries of school teachers	33
for state and military aid	33
to meet emergencies	33
financial year to begin December 1	34
sub-auditor may be designated by auditor	35
officers and boards to make statement to, of all moneys received	155
AWNINGS, SHADES, ETC.	
not to be erected within limits of street, except	137
BALCONY. See BAY-WINDOWS.	
BALL	
playing on commons, etc., forbidden except, etc.	191
playing in streets forbidden	188
BANANA SKINS, ETC.,	
not to be thrown on sidewalk	190
BASE BALL. See BALL.	
BASEMENTS	
regulations relating to doorsteps and entrances to	133

	PAGE
BATHING	
in a nude state so as to be exposed to view of persons in streets, forbidden	189
BAY-WINDOWS. See CONSTRUCTION OF BUILDINGS.	
BICYCLES	
riding at rate of speed exceeding, forbidden	188
BELLS	
ringing of	193
BILLIARD AND OTHER AMUSEMENT LICENSES	
regulations concerning!	208
BILLS	
against the city, how approved	35
approval of, to be certified to auditor by a majority of board or head of department	35
pay-day for	35
boards to hold regular monthly meetings for approval of and send to the auditor, etc.	35
boards to keep record of dates and amounts of bills, and names of persons whose bills are approved	35
for the use of water, committed to treasurer	149
standing regulations for the use of water to be printed on certain	147
BLOW-OFFS	
from steam boilers not to be connected with sewers or drains	125
BOARD	
of health. See HEALTH DEPARTMENT.	
of commissioners of sinking funds. See SINKING FUND DEPARTMENT.	
of assessors. See ASSESSORS' DEPARTMENT.	
of trustees of Public Library. See PUBLIC LIBRARY DEPARTMENT.	
of trustees of the Bridge Charitable Fund. See BRIDGE CHARITABLE FUND.	
of trustees of Sanders Temperance Fund. See SANDERS TEMPERANCE FUND.	
BOARDS, EXECUTIVE	
to have charge of certain departments	21
to be under control of mayor	21
may license or permit anything prohibited to be done without their license or permission	20
certain, to hold monthly meetings, for approval of bills	35
to keep a record of contracts and bills approved by them	35
shall make contracts in their departments	13
shall have care, etc., of public works, etc.	13
shall control executive business	13
shall be accountable to mayor	13
shall furnish information to mayor and city council	13
shall make no expenditure beyond appropriations	13-159
shall furnish annual estimates to mayor in January	13-159
to keep account of moneys received by them	9
when to pay treasurer such moneys	9
certain, to make annual reports	9
intrusted with public money, to account to city council	9

	PAGE
BOARDS, EXECUTIVE — Continued.	
shall designate officer to certify payrolls of employees	33
shall approve all bills in their departments	35
shall present bills to appropriate committee and auditor	35
other duties of	35
shall certify all bills	35
shall keep records of moneys received	155
shall pay moneys received to treasurer daily	155
certain boards to pay weekly	155
shall make returns to auditor	155
shall have control of their appropriation	156
not to expend more than \$300 for one purpose without approval of mayor, except	156
shall be governed in their purchases by the provisions of chapter 27	157
shall advertise for proposals	157
shall send copy of advertisement to auditor	157
plan to be shown to bidders	157
bond required of contractor	157
See OFFICERS	
See CONTRACTS	
to appoint and remove subordinates	13
cause of removal of subordinates to be entered on record	158
terms of service of subordinates	13
appointments and removals to be certified to mayor	13
causes of removals to be assigned in writing	13
not to expend money until appropriated	159
what records to be kept and open to public	159
licenses to contain certain condition	159
shall not advocate or object to any act before the legislature	159
 BOILERS. See INSPECTION AND CONSTRUCTION OF BUILDINGS DEPARTMENT.	
 BONDS. See the Various DEPARTMENTS.	
of city, how signed and countersigned	7-34-139
issued for certain loans, how long to run	126
to have on their face the purpose of their issue	126
may be paid by treasurer without an order	34
when paid shall be cancelled by city treasurer	139
and transmitted to city auditor	139
custody of bonds of city officers	31
of city officers to be approved by mayor	22
of various city officers. See the DIFFERENT TITLES.	
officers, shall have sureties	159
of corporation or person constructing, etc., a telegraphic or other electrical line in the city	110
of person licensed to move building through street	133
of person licensed to construct, etc., drains connecting with sewers	124
licenses and permits not to be valid without	166
contracts to be accompanied by	157
 BONFIRES	
not to be made in the streets	188
 BOOTHS	
not to be erected on commons or public grounds without a permit	191
or on streets without a permit	188

	PAGE
BOUNDARIES OF WARDS	
may be altered by city council	4
BOW	
shooting with, forbidden in streets	188
BRIDGE CHARITABLE FUND	
how to be applied	173
trustees of, who shall be	173
trustees to have care of fund and make annual report	173
BRIDGES. See STREET DEPARTMENT AND CONSTRUCTION OF BUILDINGS.	
BRIDGES. See STREETS, COMMONS, ETC.	
persons shall not deface	188-190
shall not obstruct draw	190
shall not fasten vessels, etc., to	190
shall obey drawtender when using the draw	190
BRIDGE DEPARTMENT	
creation of	21
under charge of what officer	21-36
under control of mayor	21
ordinance in relation to	36
West Boston, Craigie, Prison Point, and Harvard Bridges	36
commissioner of	36
how and when appointed	24-36
tenure of office	36
salary of	162
powers and duties	36
removal	36
to make annual report with estimate of expenses for next year	36
vacancy	36
city engineer to make annual examination of	44
Harvard bridge loans to be for not over thirty years	126
loans for other bridges to be for not over ten years	126
BUILDINGS	
removal of, through streets	133
license how obtained	133
regulations of board of aldermen	205
bond to be given	133
chimneys to be taken down	133
defective, causing injury to sidewalk	134
See CONSTRUCTION OF BUILDINGS (SPECIAL INDEX).	
BURIALS. See CEMETERY DEPARTMENT; ALSO UNDERTAKERS.	
BY-LAWS	
to be termed ordinances	19
See ORDINANCES.	
CAMBRIDGE	
city of, a corporate body with certain powers.	4
powers of, vested in the city council	8
CAMBRIDGE CEMETERY. See CEMETERY DEPARTMENT.	
CANOPIES	
provisions as to, when erected within limits of streets.	137

	PAGE
CARPETS	
not to be shaken or cleaned in streets	189
CARRIAGES.	
when furnished at expense of city	160
not to be washed or cleaned in streets	188
not to be stopped on flagging stones, etc.	187
not to be driven on sidewalks ¹	189
regulations concerning use of streets by	207
See VEHICLES.	
CARTS. See VEHICLES.	
CATCH-BASINS	
to be kept clean and in repair by city engineer	123
the entrances of, to be kept open and clear of ice by the superintendent of streets	123
See SEWER DEPARTMENT.	
CATTLE	
not to be allowed on sidewalks	189
CELLARS. See CONSTRUCTION OF BUILDINGS.	
regulations relative to doorsteps and entrances to	133
under sidewalk, conditions of maintaining	137
CEMETERY DEPARTMENT	
creation of	21
under charge of what officers	21-37
under control of mayor	21
ordinance in relation to	37
commissioners of, to continue in power	14
appointment of commissioners	24-37
former method of appointment and removal of commis- sioners repealed	14
tenure of office	37
vacancy	37
powers and duties	37
shall have charge of Cambridge cemetery	37
shall have charge of burying ground on Garden street	37
may sell rights of burial	37
deeds of lots to be executed by mayor	37
execution of deeds by city clerk repealed	14
when money is to be received by treasurer for perpetual care of lots in	37-139
interest of such money to be applied to care of lot	37
treasurer to receive such sums of money	37-139
treasurer to send to superintendent of, notice, etc.	139
treasurer to pay to board of commissioners of, interest on such sums	37-140
application of money received for care of lots in	37-140
name of fund	38-140
annual report of commissioners	37
reconveyance of lots in, to the city	38
acceptance of deed of reconveyance	38
sum to be deposited sufficient to provide, etc.	38
proprietor may reserve the right of admission	38
deeds in trust	38
CERTIFICATES	
for payment of money out of the treasury, form of	32
of weighing hay, etc.	168

	PAGE
CESSPOOLS, VAULTS, AND PRIVIES	
board of health shall make contracts for cleaning	53-125
CHARCOAL MEASURES	
inspector of	23
CHARTER. SEE CITY CHARTER.	
CHIEF ENGINEER. SEE FIRE DEPARTMENT.	
CHIEF OF POLICE. SEE POLICE DEPARTMENT.	
CHILDREN	
under sixteen years of age	195
shall not loiter upon any street after 9.30 P. M.	195
shall be accompanied by parent, etc.	195
returning from employment, etc.	195
performing some duty, directed in writing	195
violation of provisions of ordinance	195
CHIMNEYS	
how to be taken down before building is moved	133
CITY	
to be divided into five wards	4
boundaries of wards	4
CITY AUDITOR. SEE AUDITING DEPARTMENT.	
CITY CHARTER	
new charter.	4
new, when accepted by the voters (Note)	219
when approved (Note)	219
acts inconsistent with, repealed	14
submitted to voters when	15
when in operation	15
municipal powers	4
ordinances inconsistent with, annulled	13
not inconsistent with, to be in force	13
laws not repealed by	14
rules of civil service commissioner not repealed by	14
tenure of city officers not affected by	14
powers of board of health not affected by	14
water board to continue in power	14
cemetery commissioners to continue in power	14
repeal of original charter and amendments	14
CITY CLERK DEPARTMENT	
creation of	21
under charge of what officer	21-39
under control of mayor	21
ordinance in relation to	39
CITY CLERK	
to be elected by ballot	9
to be sworn	9
term of office of	9-39
may be removed	9-39
bond	39
new bond, when to be given	39
powers and duties of	9-39
office hours of	155

	PAGE
<i>CITY CLERK — Continued.</i>	
salary of	160
to be custodian of city seal	167
to have care of city records and documents, etc.	39
to receive records of weighers, when	168
to record and publish ordinances	19
to keep record of streets and sidewalks accepted	134
to be clerk of board of aldermen	9
of city council in convention	9
to deliver journals, etc., to his successor	10
to notify auditor of orders authorizing expenditures, etc.	39
to report daily to auditor money received	39
to pay to treasurer daily money received	39
to notify city council six months before, of expiration of time for assessment of betterments, etc.	39
to report to treasurer orders for sewers and sidewalk assess- ments, apportionments and abatements	39
to attend all meetings of board of aldermen, of both branches of the city council when met in convention	39
to keep record of proceedings in such cases	39
to make annual statement to the city council of fees, etc., received	155
may issue licenses to use and drive vehicles for conveyance for persons, etc., for hire	207
to keep record of licenses granted for stands and vehicles, and of persons to use and drive vehicles for hire	207
to sign warrants for calling meetings in the several precincts, duties of, at general meetings of inhabitants	171
to keep record of proceedings at such general meetings	172
shall sign warrants of members of fire department	45
power of execution of cemetery deeds by, repealed	14
shall record deeds of lots in Cambridge cemetery	37
engineer's office to be a part of clerk's office, etc.	125
assistant city clerk to be elected by ballot	9
to be sworn	9
term of office of	9
may be removed	9-40
duties and powers	40
salary of	160
shall give bond	40
election void if bond not given	40
new bond when	40
<i>CITY COUNCIL</i>	
to consist of board of aldermen and common council	4
failure to elect members of	5
refusal to accept office	5
vacancy	5
removal from ward, not to effect, etc.	5
change of ward boundaries not to effect, etc.	5
shall be sworn	5
shall meet mayor in convention in January	5
special meetings, how called	6
powers of municipal corporation vested in	8
quorum of	8
members shall receive no compensation	8
all sittings to be public except, etc.	8
shall apportion the members of common council among the several wards	4

CITY COUNCIL — *Continued.*

PAGE

shall reapportion the common council every five years
 from 1895 5

by by-law, to direct form, service, and return of warrants
 for all meetings of inhabitants 5

shall determine salary of mayor 8

may make ordinances and annex penalties 8

shall direct how ordinances shall be published 8

shall take no part in employment of labor 11

shall take no part in appointment or removal of officers,
 except 11

to publish accounts of receipts and expenditures 9

to publish schedule of property and debts of city 9

may lay out new streets or ways 9

may estimate damage sustained 9

may provide for appointment and compensation of certain
 needful officers 8

ineligible to offices of emolument 11

to elect city clerk and assistant city clerk 9

to elect treasurer, and collector of taxes 10

to elect city solicitor 10

to elect city messenger 9

to elect a clerk of committees 9

to elect a city auditor 10

to elect an overseer of the poor 10-116

to fill vacancies in overseers of poor 116

to fill vacancies in board of assessors 11

may establish a fire department 9

may make rules and regulations 9

boards and officers intrusted with public money to ac-
 count to 9

appropriations by, not to be exceeded 9

may regulate loads of vehicles 8

may take land for streets and sewers 9

appeal from estimate of damages 9

may request mayor, etc., to make reports 9

shall direct a proper accounting for moneys 9

may fill vacancies in offices filled by them 12

may employ and remove clerks and attendants 12

may call for information from officers and subordinates 13

shall make annual appropriations 13

city clerk shall attend all meetings 39

city clerk shall keep records of the proceedings 39

city messenger shall wait upon 41

no member to be commissioner of sinking funds 126

shall give names to streets 129

no members of, shall be a member of water board 144

water board shall have certain powers of 144

contracts for more than one year not to be made, without
 vote of 158

CITY ELECTRICAL DEPARTMENT

under charge of what officer 104

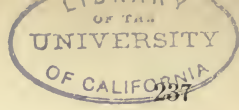
ordinance in relation to 104

CITY ELECTRICAL DEPARTMENT— <i>Continued.</i>	PAGE
tenure of office of inspector of wires	111
duties of city electrician	104
shall have supervision of all wires, poles, conduits, etc.	104
shall inspect condition of poles, wires, etc.	104
shall order poles, etc., unsafe, to be replaced	104
shall inspect wires in buildings in process of construction	105
shall enforce all laws, etc., relative to wires, etc.	105
shall have supervision of fire alarm telegraph, police signal system, etc.	105
shall purchase wires, apparatus, machinery, etc.	105
shall cause to be erected all appliances, etc.	105
shall have care and oversight of all street lamps, except	105
shall contract for all materials, lighting, etc.	105
shall keep account of lamps, men employed, etc.	106
shall examine all meters for gas, except	106
shall make examinations and tests when requested by certain departments	106
shall have access to all places when necessary	106
annual report to city council	106
wires to be suitable and strong	104
to be attached to strong and sufficient poles	104
entering buildings to be attached to appliances, etc.	105
within buildings to be suitably insulated	105
to be cut in case of fire, etc.	105
placing, insulation, etc., of	106
shall not be attached to poles by means of brackets	107
of more than one party to be attached on same cross-arm	107
additional wires shall not be affixed except	107
unused wire, etc., not to be left on street	107
wires, etc., not to be attached to tree without consent	107
wires, etc., not to be attached to buildings, etc., except by order	108
wires not to be attached to poles without order of board of aldermen	109
wires to be put in aerial cable, when	109
wires and conduits to be removed, when	110
poles to be painted and insulated	104
poles, etc., erected only by order of board of aldermen	107
poles for telegraph, etc., to be of hard pine, etc.	108
poles for wires of street railway to be of iron, etc.	108
location of poles in sidewalks	108
petitions for, must contain exact location of pole	109
must be accompanied with duplicate plans	109
hearing to be given	109
notice to be served upon owners, etc.	109
removal of poles, ducts, conduits, etc.	109
use of poles by other corporations	111
electric current to be shut off in case of fire, etc.	105
detailed plan of number and location of poles to be furnished	107
signal boxes, police and fire alarm, not to be opened, except	107
not to be interfered with	107
city may attach wires to all poles, for its own use	109

	PAGE
CITY ELECTRICAL DEPARTMENT — <i>Continued.</i>	
streets, etc., not to be torn up without a license	109
streets, etc., to be restored after opening	110
cross-arms, supports, etc., to have tags affixed to designate owner, except	104
conduit not to be removed without permission	110
city to have space in underground conduits	110
guard rail to be around manhole, when opened	110
city electrician to have notice of intended placing, etc.	106
city electrician to give permission for affixing additional wires	107
person or corporation owning, to comply with rules, etc., with respect to quality of poles, etc.	106
person or corporation constructing or operating lines to give bond	110
condition of bond	110
new bond may be required	111
acceptance of locations of poles, etc., to be filed	108
location void if acceptance is not filed	108
location void if work is not completed within six months	108
locations, etc., may be revoked by board of aldermen	108
locations to be changed, when	109
 CITY ENGINEER. See ENGINEERING DEPARTMENT.	
 CITY GOVERNMENT	
administration of	4
 CITY MESSENGER DEPARTMENT	
creation of	21
under charge of what officer	21-41
under control of mayor	21
ordinance in relation to	41
city messenger, election of	10
tenure of office	10-41
salary of	162
removal	10-41
powers and duties	41
to purchase stationery	41
to have charge of printed matter, etc.	41
shall look after City Hall	41
shall make report of stationery, to auditor, monthly	41
shall make annual report	41
 CITY MONEYS. See AUDITING DEPARTMENT, OFFICERS, TREASURY DEPARTMENT.	
 CITY OFFICERS. See OFFICERS.	
 CITY OFFICERS	
when elected	5
chosen by people, to be chosen by ballot	5
term of office of	5
accountability of	13
 CITY PHYSICIAN. See PHYSICIAN, CITY.	

	PAGE
CITY DEBT. See SINKING FUND.	
CITY SEAL	
to what instruments to be affixed, and by whom	22
device of	167
custodian of	167
CITY SOLICITOR. See LAW DEPARTMENT.	
CITY TREASURER. See TREASURY DEPARTMENT.	
CITY SCALES AND WEIGHERS	
board of aldermen to establish	168
shall be furnished with decimal weights	168
weighers shall be appointed by mayor	168
to be sworn	168
duties of weighers	168
shall deliver certificate of every load weighed	168
shall keep a record open to public inspection	168
record book when filled to be delivered to city clerk	168
fees for weighing	168
fees to be paid in quarterly, to treasurer	168
weighers shall keep scales clear of snow, etc.	168
sealer of weights and measures to have general control of public scales	121
compensation of weighers	168
CLAIMS	
against the city, how to be approved	35
See ACCOUNTS.	
CLERK OF WATER BOARD	
how chosen	144
CLERKS AND ATTENDANTS. See SUBORDINATES.	
the several boards may employ and remove	12
compensation of clerks in the several departments to be determined by the finance committee	156
CLERK OF COMMITTEES DEPARTMENT	
creation of	21
under charge of what officer	21-42
under control of mayor	21
ordinance in relation to	42
clerk of committees, election of	10
tenure of office	10-42
duties of	42
salary of	161
shall be clerk of all committees	42
shall keep books of record	42
shall keep a calendar of committee meetings	42
shall notify members of meetings	42
assistant clerk how appointed	42
duties of	42

	PAGE
CLERK OF COMMON COUNCIL	
election of	12
to be sworn	12
to record certificate of oath of common councilmen	6
other duties	12
CLUBS	
possession of, on streets forbidden	189
COAL	
weighers of	23
COAL HOLES	
in sidewalks, regulations relative to	135
condition of maintaining	137
covers to have iron rods or legs	135
COASTING	
in streets prohibited without permission	188
COLLECTOR OF TAXES. See TREASURY DEPARTMENT.	
treasurer to be <i>ex-officio</i>	10-139
COMMISSIONERS. See THE VARIOUS TITLES.	
COMMISSIONERS OF CAMBRIDGE CEMETERY. See CEMETERY DEPARTMENT.	
COMMISSIONERS OF THE SINKING FUNDS	
how constituted	126
appointment of	24
term of office	126
no member of city council to be a member of	126
to have control of all funds for payment of the city debt, except the water loan	126
to certify to auditor annually the amounts required for sinking funds	127
debts due, how paid by board from fund	127
annual report	127
loans, for what time to be negotiated	126
bonds for loans to bear on their face the purpose for which they were issued	126
annual appropriations for sinking funds, amount of	126
COMMITTEE ON FINANCE See FINANCE, COMMITTEE ON.	
COMMITTEES, CLERK OF. See CLERK OF COMMITTEES DEPARTMENT.	
COMMITTEES	
regular meetings of various. for examination of bills	35-46
clerk of	42
to keep records of proceedings	42
to be notified of meetings	42
shall take no part in the employment of labor or in appointment and removal of officers	11
mayor shall not appoint, of the aldermen	11
when in doubt concerning correctness of bill, to report to city council	35
on accounts. See ACCOUNTS, COMMITTEE ON.	



INDEX.

	PAGE
COMMON COUNCIL	
to consist of twenty persons	4
with board of aldermen, to compose city council	4
majority of, to constitute a quorum	8
no member of, to receive compensation	8
members of, how apportioned	4-170
to be residents in the ward	4
election of members	4
present apportionment to hold until 1895	4
new apportionment to be made every five years	4
failure to elect	5
refusal to accept	5
removal from ward not to affect, etc.	5
change of ward boundaries not to affect, etc.	5
shall meet mayor and aldermen in convention in January	5
may employ and remove clerks and attendants	12
may fill vacancies in offices filled by them	12
city messenger shall attend all meetings	41
to be sworn	5
certificate of oath	6
shall sit separately, except	4
to choose a president	12
his duties	12
to choose a clerk	12
salary of clerk	160
to be sworn	12
his duties	12
sittings of, to be public except	8
to judge of election and qualification of its members	12
vacancy in	5
special meetings of, how called	6
members of, not to hold offices of emolument	11
may call for information from officers and subordinates	13
shall take no part in employment of labor or in appointment and removal of officers, etc.	11
COMMON SEWERS. See SEWERS.	
COMMONS AND PUBLIC GROUNDS. See STREET DEPARTMENT.	
COMPENSATION. See SALARIES.	
COMPENSATION	
no member of city council to receive	8
of clerk fixed by committee on finance	156
concerning small loans, regulations	211
CONDUCTORS, also see CONSTRUCTION OF BUILDINGS DEPARTMENT.	
not to direct water upon a sidewalk	135
CONDUITS. See CITY ELECTRICAL DEPARTMENT.	
CONSTABLES	
warrants for elections to be served by	171
warrants for general meetings to be served by	172
appointed by mayor	23

	PAGE
CONSTRUCTION OF WORDS AND TERMS	20
CONTINUANCE	
of pay of city employees	196
employee injured shall petition city council	196
petition shall give time and place, etc.	196
petition referred to committee on claims	196
city physician and city solicitor to be notified	196
investigation relative to injury	196
hearing before committee on claims	196
report of committee, if in favor, etc.	196
amount to be recorded and verified by department	196
certificate from head of department before payment is made	196
injured person to give receipt and release in full	196
further payment should disability continue	196
CONTRACTS	
- by whom made	13
to be accompanied by bond	157
to be executed in triplicate and one copy deposited with the auditor	157
not to be made for more than one year, except	158
advertisements for proposals, etc.	157
plans, specifications, and schedules to be prepared when advertisements are made	157
above \$300 in amount to be in writing	158
above \$300 in amount to be approved by mayor	13-156
no proposals for, to be accepted from certain parties	157
proposals for, to be under seal, and placed in a sealed box of which the clerk of committees shall hold the key	157
proposals for, how opened, etc.	157
to be awarded to the lowest bidder	157
proposals for, may be rejected	157
bids to be preserved and open to public inspection	158
not to be altered without consent	158
payments for extra work, when made	158
to provide that in case of alteration, portion not affected shall remain in force	158
payment for work under alterations not to be made until completion of whole contract, etc.	158
involving employment of labor to contain certain provisions	158
not to exceed appropriations	159
three-fourths of amount of, may be advanced how	33
CONVENTION	
city clerk to attend all meetings of both branches of city council in	39
to keep records of such meetings	39
for organizing city government	5
of mayor and city council to be held first Monday in Janu- ary	5
oath to be administered at	5
certificate of oath	6
members not present, to be sworn subsequently	6

	PAGE
CONVEYANCES. See DEEDS.	
COUNCIL, CITY. See CITY COUNCIL.	
COWS	
not to be allowed to feed or go at large in the streets	187
CROTCH	
possession of, on streets forbidden	189
DEAD. See CEMETERY DEPARTMENT. UNDERTAKERS.	
DEATHS	
to be reported to undertakers	185
fees of undertakers for making returns of, how paid	185
DEBTS. See SINKING FUND DEPARTMENT.	
DECEASED SOLDIERS. See SOLDIERS.	
DEEDS, ETC.	
given by the city to be executed by mayor	8-22
of cemetery lots, etc., how executed and recorded	37
DEEDS IN TRUST OF LOTS IN CEMETERY. See CEMETERY DEPARTMENT.	
DEFINITIONS OF WORDS AND TERMS	20
DEFACING	
property, forbidden	188
DEPARTMENTS, also see UNDER the VARIOUS TITLES.	
creation of the several	21
mayor may summon heads of, for consultation	6
shall account to city council for moneys	9
shall make reports	9
heads of, etc., to appoint subordinates, except, etc.	13
such appointments and removals to be certified to mayor	13
causes of removal to be assigned in writing	13
officers at head of, to make contracts	13
shall have care, etc., of public works, etc.	13
shall control executive business	13
shall be accountable to mayor	13
shall furnish information to mayor and city council	13
shall make no expenditure beyond appropriation	13-159
not to expend money until appropriated	158
not to expend more than \$300 for one purpose without approval of mayor, except	156
shall furnish annual estimates to mayor in January	13-159
may license anything prohibited from being done without their permission	20
each to be under charge of boards and officers designated,	21
all to be under control of mayor	21
method of book-keeping to be determined by the committee on accounts	33
shall certify pay-rolls of employees	33

	PAGE
DEPARTMENTS—Continued.	
heads of, shall approve bills in their departments . . .	35
shall keep records of all contracts, etc.	35
duties of	35
shall certify all bills	35
to be held responsible for damages for one year after opening	131
heads of, to have control of their appropriation . . .	156
shall be governed in their purchases by the provisions of chapter 27	157
shall advertise for proposals	157
shall send copy of advertisement to auditor	157
plans to be shown to bidder	157
bond required	157
See CONTRACTS.	
cause of removal of subordinates to be entered in record	158
what records to be kept and open to public	159
licenses to contain certain conditions	159
shall give certificate before payment is made to city em- ployees injured in performance of duty	196
amount shall be recorded and verified by heads of . . .	196
See BOARDS, OFFICERS.	
DEPUTY COLLECTORS OF TAXES. See TREASURY	
DEPARTMENT.	
DIRT	
not to be placed in drinking fountains, etc., in streets . .	189
house dirt, how removed	135
DISORDERLY CONDUCT	
in streets forbidden	189
DOGS	
license fees to be received by treasurer	140
how credited	140
appointment of person to receive information of damage done by	23
not to be allowed to walk, etc., on flower-beds on com- mons, etc.	191
barking, etc., not to be kept in the city, and penalty for keeping	177
DOORS. See CONSTRUCTION OF BUILDINGS DEPARTMENT.	
not to swing over sidewalks	132
DRAIN LAYERS. See SEWER DEPARTMENT.	
DOCUMENTS AND PRINTED MATTER	
to be kept by city messenger	41
DRAINS	
See CONSTRUCTION OF BUILDING.	
See SEWER DEPARTMENT.	
DRIVING	
fast, prohibited on driveway of Fresh Pond	192
in streets	187

	PAGE
DWELLING-HOUSES. See CONSTRUCTION OF BUILDINGS DEPARTMENT.	
DUTIES AND SALARIES	
ordinance relating to	155
ELECTIONS	
warrants for	3-171
aldermen to fix time for opening and closing polls at	171
day of holding city election	4
of mayor	5
of aldermen	5
of common councilmen	5
to be holden in pursuance of warrants	5
failure to elect mayor or aldermen	5
vacancy in city council	5
city council may provide for election of necessary officers	12
votes on elections and confirmation of city officers to be public	8
members of city council ineligible to offices of emolument	11
if person elected refuses to accept	5
for choice of city officers. See UNDER THEIR DIFFERENT TITLES.	
See WARRANTS AND ELECTIONS.	
election officers, salary of	162
ELECTRIC LIGHT COMPANIES. See CITY ELECTRICAL DEPARTMENT.	
EMERGENCY FUND	
payments from	33
EMPLOYEES	
payment of	33-35-141
office hours of, how fixed	156
weekly pay rolls	35
non-residents not to be employed	156
continuance of pay of	196
EMPLOYERS	
liable for penalty if their employees violate an ordinance	20
ENGINE COMPANIES. See FIRE DEPARTMENT.	
ENGINEERING DEPARTMENT. Also see SEWER DEPARTMENT.	
creation of	21
under charge of what officer	21-43
under control of mayor	21
ordinance in relation to	43
appointment of city engineer	24
tenure of office of	43
duties of	43
salary of	161
office hours of	155
to furnish lines and grades of streets when parties intending to build	44

	PAGE
ENGINEERING DEPARTMENT—Continued.	
to notify mayor when street is encroached upon	25
to make and have charge of plans of streets, etc	43
to examine all bridges annually	44
shall supervise repairs of bridges	43
to make annual reports	44
may permit construction of conduits from vaults into common sewers	54
to have charge of construction of public works	43
shall measure work done by contract when required	43
shall make such surveys, plans, etc., as may be required	43
shall not interfere with existing departments	44
shall give information of lines and grades of streets with- out charge	44
shall notify mayor of encroachments on streets	44
engineer shall have charge of sewer department	122
shall consult and arrange with superintendent of streets when openings are to be made for sewers	129
shall ascertain proper foundation grade for superstructure of buildings erected by the city	44
shall perform work within province of civil engineer, required by board of park commissioners	118
shall issue permits, under direction of board of health, for construction of connections of vaults with sewers	54-125
 ENGINEERS OF THE FIRE DEPARTMENT. See FIRE DEPARTMENT.	
 ENGINEMEN. See FIRE DEPARTMENT.	
 ESTIMATES FROM HEADS OF DEPARTMENTS	
of the amount of money necessary to be raised for annual expenditures of the city, furnished the mayor	13
mayor to examine the same and submit them to the city council	13
city council thereupon to make appropriations	13
 EXECUTIVE	
ordinance in relation to	22
chief executive officer to be the mayor	6-21
he shall cause laws, ordinances, etc., to be enforced	22
shall exercise supervision and control over officers	6-22
shall cause violations and neglect of duty to be punished	6-22
may summon heads of departments, etc., before him	6-22
may call special meetings of city council or of either board shall communicate to both boards information concerning the city	22
shall fill vacancies for unexpired term	22
shall designate temporary officers	22
shall approve bonds of city officers	22
shall execute deeds, etc., on behalf of city	8-22
shall execute deeds of burial lots	37
shall discharge mortgages, etc.	23
may assign mortgages, when	23

EXECUTIVE—*Continued.*

	PAGE
may release tax titles	23
shall approve auditor's drafts	23
shall sign all bonds, notes, etc., of city	8-23
shall designate stations for detention of women under arrest	25
shall designate persons to cause to be interred indigent deceased soldiers	25
shall fill vacancies in police and fire departments	25
shall direct the removal of buildings encroaching upon the streets	25
may draw order for payment of money	33
may draw order for money due in advance on contracts	33
his written order on treasurer required for payment of money, except in certain cases	33
with aldermen and common council, to have government of city	4
election of mayor	5
failure to elect	5
refusal to accept	5
vacancy in office of	5
to be sworn	5
certificate of oath	6
powers and duties of	4-22
shall nominate for all appointments made by mayor and aldermen	6
<i>ex-officio</i> , chairman of school committee	6
salary of	8-160
salary not to be increased or diminished during contin- uance in office	8
general duties	6
chief engineer to notify of increase of pay of members of fire department	162
surveyor of highways	6-138
powers to be exercised through whom	6
to have general supervision and control	6
to have control of police force	6
may call special meetings of either branch	6
may call special meetings of both branches	6
shall communicate information to city council	6
shall recommend measures to city council	6
shall appoint certain officers	23-24-25
appointment of officers to be confirmed	6
appointment of officers not to be acted on for one week	7
may remove certain officers with approval, etc.	7
shall assign cause of removal of officers	25
shall record causes of removal of officers	25
shall meet with the city council in convention at first meeting	5
shall approve ordinances, orders, etc.	7
veto power	7
partial veto	7
shall keep a record of official acts	8
may appoint a clerk	8

	PAGE
EXECUTIVE—Continued.	
shall make reports to city council on request	9
shall not be a member of the board of aldermen nor pre- side at any meeting nor appoint any committee	11
shall call for information from officers and subordinates	13
shall approve contracts exceeding \$300	156
shall examine estimates of departments and submit them to the city council	13
to have control of the several departments	21
shall finally decide doubtful accounts	32
may draw orders for weekly payments of wages	33
may draw orders for payment of school teachers	36
may draw orders for payment of state and military aid	33
may draw orders for payment of emergencies	33
may approve of sub auditor	35
shall sign warrants of officers and members of fire de- partment	45
shall be a trustee of the Bridge Charitable Fund and chairman	173
shall be a trustee of the Sanders Temperance Fund and chairman	174
may draw draft for sum due for interest on Cambridge Water Loan	146
EXECUTIVE POWERS	
vested in mayor	6
to be exercised through whom	6
EXHAUSTS, STEAM	125
EXPENDITURES	
not to be incurred in excess of appropriations	13
annual account of, to be published	9
exceeding \$300 to be approved by mayor	13
FAST DRIVING	
prohibited on driveway of Fresh Pond	192
in streets	187
FEES	
received by city officers on behalf of the city to be paid daily to treasurer, and reported to the auditor 10-39-142-155	
received by police officers, except, etc., to be paid weekly to treasurer	155
treasurer shall report fees to auditor, monthly	142
officers and boards receiving, shall keep record of	155
city clerk and treasurer to make annual statement to the city council of all fees and perquisites received by them	155
chief of police to make similar return of the fees and perquisites received by members of the police force	155
of weighers of hay, etc.	168
of undertakers	185-186
FENCE	
required in certain cases while building	130-133
when street is unsafe, etc.	128-130-133

	PAGE
FENCE VIEWERS	
appointment of	23
FIELD DRIVERS	
appointment of	23
FINANCE, COMMITTEE ON	
of whom to consist	160
when appointed	160
duties of	160
to fix compensation of clerks	156
to approve compensation of janitors	162
to approve pay of officers, etc., of water works department	144
to prescribe the amount of interest to be paid by the com- missioners on sinking funds	127
FINANCIAL YEAR. See YEAR.	
to begin December 1	13-34-139
FINES	
for violation of ordinances, etc., to inure to use of city	20
See PENALTIES.	
FIRE ALARM TELEGRAPH. See CITY ELECTRICAL DEPART- MENT.	
in charge of city electrician	105
rules concerning, how made	51
rules for giving alarms of fire	51
FIRE ARMS	
not to be discharged in city limits	188
FIRE DEPARTMENT	
creation of	21
under charge of what officers	9-21-45
under control of mayor	21
ordinance in relation to	45
how constituted	45
appointment of	25
chief engineer, powers and duties of	45-46
salary of chief engineer	161
salaries of members of	161
chief engineer to certify all bills monthly	46
shall make an annual report	46
shall supervise and repair fire apparatus	46
shall have direction of firemen	46
shall transit returns of officers, apparatus, etc., to city council	46
shall keep rolls of the several fire companies	46
shall report all accidents by fire, annually	46
warrants of engineers and call district chiefs	45
engineers, shall have powers, of fire wards, etc.	9
duties of engineers and call district chiefs	45-46
in absence of chief engineer, next in rank to act	47
qualifications of members	47
steam fire-engine companies, of what to consist	47

	PAGE
FIRE DEPARTMENT—Continued.	
duties of enginemen and drivers of engine companies	47-48
hook and ladder companies, of what to consist	48
duties of companies in case of fire	50
removal of officers and members	7-45-49
transfer of members and record thereof	50
suspension of officers and members	50
terms of service	45-49
vacancies	45-49
duty of captains at fires	50
member may retire from service after age of sixty years is reached	47
members before receiving appointment to be subjected to physical examination	47
in absence of engineman, ass't engineman to have care of engine house, etc.	48
company in charge of Hayes truck to consist of	48
duties of driver and tillerman	49
mayor to be notified of increase of pay of members	162
who shall act in captain's absence	50
companies not to impose fines	50
clerk of companies to record absences	49-50
deduction to be made from pay for unexcused absences absence of members, etc., from fires to be recorded	49-50
permanent men to wear uniform	50
members to wear badges at fires	50
no intoxicating liquors or gambling allowed in houses	51
companies not to leave city without permission	51
refreshments, rules as to	50
fire-alarm telegraph, rules of	51
signal-boxes and poles of fire-alarm telegraph not to be interfered with, etc.	107
regulations for government of fire department	9
office hours of chief	156
chief engineer shall examine buildings where petroleum, etc , is kept	183
shall report in writing	183
shall make complaint for violation of ordinance	184
apparatus	9
what officers to have command at fires	46-47
permanent men	47-48
captains and lieutenants, their duties	47
chemical engine companies how constituted	47
duties of officers and members of hook and ladder companies	48-49
captains to keep rolls of companies	49
shall make returns to chief	49
transfers and suspensions to be forwarded to mayor	49
combustible materials, rules as to	51
general rules and regulations, respecting, to be subject to approval of city council	51
absences from meetings to be recorded	50
fire-alarm telegraph in charge of inspector of wires
candidates to be examined by city physician	198

	PAGE
FIRE DEPARTMENT— <i>Continued.</i>	
pensions for members of fire department	51
petitions for	51
restrictions on	52
city physician shall examine, etc.	52
chief engineer shall furnish statement	52
amount of pension not to exceed, etc.	52
FIRE BELTS. See FIRE STOPS.	
FIRE GUARDS. See FIRE STOPS.	
FIRE LINES	51
no person other than firemen, etc., allowed within	51
FIREMEN, PENSIONS FOR. See FIRE DEPARTMENT.	
FIRE STOPS	
when required	
FISH, COMMITTEE FOR THE PRESERVATION OF	
appointment of	23
FLOORS	
construction of	
FLUES	
regulations as to	
FOOT BALL. See BALL.	
FOUNDATIONS. See CONSTRUCTION OF BUILDINGS.	
FOUNDATION WALLS. See CONSTRUCTION OF BUILDINGS.	
FOUNTAINS	
for drinking, not to be contaminated.	189
for private fountains, see WATER WORKS DEPARTMENT	
FOWLS	
not to go at large in streets	187
FRESH POND	
constituted a reservoir, storage basin, and water supply	
for city	192
fishing, swimming, bathing, boating, etc., in, forbidden	192
throwing dirt, etc., in, or on land, etc., appurtenant to,	
forbidden	192
going upon the ice of, except to skate, forbidden	192
using sleds, ice boats, etc., on the ice of, forbidden	192
skating allowed on, under regulations of the water board	192
teams conveying burdens not to be driven upon the drive-	
way of	192
funeral processions not to be driven upon the driveway of	192
fast driving on driveway of, prohibited	192
trees, etc., on land and driveway appurtenant thereto not	
to be injured	192
sward, gravel, etc., on such land and driveway not to be	
dug or carried away	192

	PAGE
FRESH POND—Continued.	
climbing, or tying horses to trees, etc., on such land forbidden	192
posting bills, etc., within grounds of, prohibited	192
penalty for violating provisions relating to	192*
FUEL	
not to remain unnecessarily in the streets over night	134
if in street over night to be lighted	134
FUNERALS. See CEMETERY DEPARTMENT, ALSO UNDERTAKERS.	
FURNACES. See CONSTRUCTION OF BUILDINGS.	
GAMING	
forbidden	188
GAS	
shut-off in supply pipes outside of building	178
when furnished to public building, etc., must have shut-off expense of shut-off to be borne by person or company supplying	178
GATES	
not to swing over streets	132
GENERAL MEETINGS OF VOTERS	
when to be held	172
form of warrants for	172
warrants for, how served	172
proceedings at	172
duties of city clerk at	172
record of proceedings of, to be kept	172
GENERAL PROVISIONS CONCERNING BY-LAWS	19
GENERAL REGULATIONS FOR STREETS, COMMONS, Etc.	187
GOATS	
not to go at large on sidewalks	187
GONGS	
ringing of prohibited, except	193
violation of ordinance	193
GRADE. See CONSTRUCTION OF BUILDINGS.	
to be furnished by city engineer	44
GRATES	
in streets regulated	133
GRAVES. See CEMETERY DEPARTMENT.	
GUARD-RAIL	
to be placed round manhole, when opened	110
GUIDE-BOARDS	
not to be injured, etc.	188

	PAGE
GUIDE-POSTS	
not to be injured, etc.	188
GUNPOWDER AND EXPLOSIVE COMPOUNDS	
regulations for keeping	179
transportation of	179
regulations concerning vehicles containing	179
inspection of vehicles containing	179
chief engineer of fire department to be notified of place of keeping	179-180
GUNS	
not to be discharged in city limits	188
HACKNEY CARRIAGES	
regulations concerning use of streets by	207
HARBOR MASTER	
appointment of	25
HAND CARTS. See VEHICLES.	
HAY WEIGHERS	
appointment of	23
HEALTH DEPARTMENT	
creation of	21
under charge of what officers	21-53
under control of mayor	21
ordinance in relation to	53
HEALTH, BOARD OF	
appointment of	24-53
may be removed, how	7
of whom to consist	53
term of office	53
duties and powers of	53
may call upon officers of, and departments to aid it	53
present powers continued	14
members to serve without compensation	53
suitable accommodations to be furnished to	53
to make annual report to city council	53
to make contracts and regulations for cleaning cesspools, vaults, etc.	53
all such contracts to be conditioned that work be done to its satisfaction	53
to keep account of work done by it and deliver bills for same to treasurer	53
to report list of such bills to auditor monthly	53
to direct city engineer as to permits for construction of connections of vaults with sewers	54-125
dealers in ice to register at office of	165
to examine ice	165
shall investigate sources of supply	165
shall prohibit sale if impure	165

	PAGE
HEARSE	
not to be driven on driveway of Fresh Pond	192
See UNDERTAKERS.	
HEARTHS. See CONSTRUCTION OF BUILDINGS	
HEATING APPARATUS. See CONSTRUCTION OF BUILDINGS.	
HIGHWAYS. See STREET DEPARTMENT.	
HORSE-RAILROADS. See STREET RAILWAYS AND STREET DEPARTMENT.	
HORSES	
not to be tied to trees upon commons, etc.	190
not to be permitted on commons, etc., except, etc.	190
not to be allowed to go at large or feed on commons, etc.	190
fast driving of, forbidden on driveway of Fresh Pond	192
not to be tied to trees, etc., on grounds appurtenant to Fresh Pond	192
not to be allowed to go at large or graze on streets	187
fast driving of, forbidden in streets	187
not to be stopped on flagging stones	187
not to be wantonly frightened in streets	187
not to be cleaned in streets	188
not to be tied to trees in streets	187
not to be allowed to stand near trees in streets	187
See VEHICLES. STREET DEPARTMENT.	
HOSE	
water board may restrict the use of	149
HOSEMEN. See FIRE DEPARTMENT.	
HOT-AIR REGISTERS. See CONSTRUCTION OF BUILDINGS.	
HOURS	
office, at the city hall	155
HOURS OF LABOR	
for laborers and mechanics, nine hours	156
HYDRANTS	
to be constructed by water board	145
to be repaired by water board	145
injury to, prohibited	147
opening of, except in case of fire, prohibited	147
yard hydrants	153
ICE	
not to be thrown into street without being broken up	134
sidewalks encumbered with, to be made safe	136
who responsible for removal of	136
penalty	136-137
sale and delivery of, regulations for sale and delivery of	165
dealers, etc. to register sources of supply	165
registration to be subscribed and sworn to	165
board of health to examine ice	165
samples to be taken for analysis	165

	PAGE
<i>ICE—Continued.</i>	
board of health to prohibit sale, if impure	165
notice to be given of such prohibiton	165
penalty	165
INAUGURATION OF CITY GOVERNMENT	
to be in convention	5
members to be sworn	5
record of oaths to be made	6
INSPECTION AND CONSTRUCTION OF BUILDINGS DEPARTMENT. See SPECIAL INDEX following.	
INSPECTION AND SUPERVISION OF ELECTRIC WIRE DEPARTMENT. See also CITY ELECTRICAL DEPARTMENT.	
creation of	21
under charge of what officer	21
under control of mayor	21
inspector or wires, appointment of	25
INSPECTOR OF MILK AND VINEGAR DEPARTMENT	
creation of	21
under charge of what officer	21-112
under control of mayor	21
ordinance in relation to	112
appointment of inspector	23
shall be sworn	112
term of office	112
salary of	162
powers and duties of inspector	112
shall make annual report and inventory	112
INSPECTORS	
of buildings, appointment	23
junk, etc	23
milk and vinegar	23
provisions, etc.	24
charcoal measures	23
of wires	25
INSPECTOR OF JUNK SHOPS, ETC.	
appointment of	23
of pawnbrokers, etc.	23
INSPECTION OF PROVISIONS AND ANIMALS INTENDED FOR SLAUGHTER OR KEPT FOR THE PRODUCTION OF MILK	
creation of	21
under charge of what officer	21-113
under control of mayor	21
ordinance in relation	113
appointment of inspector	24
qualification of inspector	113
shall be sworn	113
term of office	113
salary of	162
powers and duties	113
shall make annual report	113

	PAGE
INTEREST	
due on notes of the city may be paid without mayor's order	34
on certain payments to commissioners of the sinking funds, due on Cambridge Water Loans, mayor may draw draft for	127
	146
INTERMENT OF THE DEAD. See UNDERTAKERS.	
INTELLIGENCE OFFICES	
regulations concerning	203
JANITORS	
of school-houses, how appointed and removed	12
duties of	12
compensation	162
of public buildings other than school-houses	162
JOINT CONVENTION. See CONVENTION.	
JUDGMENTS	
against the city may be paid without mayor's order	34
JUNK AND SECOND-HAND ARTICLES	
appointment of inspectors of dealers in	23
dealers in, etc., to be licensed	181
term of licenses	181
fee of licenses	181
to keep records of purchases made by them	181
to have signs on their shops with their names	181
shops of, subject to inspection	181
not to purchase from minors	182
articles purchased, etc., not to be sold within one week, unless, etc.	182
at what hours shops of, to be kept open	182
collectors of junk to be licensed	181
fee for collector's license	181
vehicle used in collection of, to be inspected	182
to have name and number on outside	182
revocation of license	182
penalty	182
KEEPER OF LOCK-UPS	
appointment of	23
LABORERS	
who shall be employed as	156
working day for, what constitutes	156
contracts for employment of	13
no member of city council to take part in employment of	11
LAMP DEPARTMENT. See also CITY ELECTRICAL DEPARTMENT.	
creation of	21
under charge of what officer	21
under control of mayor	21

	PAGE
LAMP DEPARTMENT—Continued.	
appointment of superintendent	24
shall consult Supt. of Streets when street is to be dug up	129
lamps not to be injured, etc.	188
public lamps in streets, not to be extinguished without authority	189

LANES. See STREET DEPARTMENT.

LANGUAGE	
indecent, etc., not to be used in streets	189

LAW DEPARTMENT	
creation of	21
under charge of what officer	21-114
under control of mayor	21
ordinance in relation to	114
election of city solicitor	10
his qualifications	10-114
tenure of office	10-114
salary of	161
duties and powers	114
travelling expenses allowed	115
to approve form of bond for auditor	31
to approve form of treasurer's bond	140
to approve form of bonds of city clerk and assistant city clerk	39-40
to approve form of bond of persons operating, etc., tele- graphic, etc., lines	
vacancy	114
shall hold no other office under city	114
shall draft all legal instruments	114
shall prosecute all actions for city	114
shall defend the city, etc.	114
shall represent the city before the legislature	114
shall furnish legal opinions	114
city physician shall examine parties claiming to be injured	198
city physician shall render professional aid in court and otherwise	198
city solicitor shall certify all executions to treasurer	
city solicitor to prepare petition for injuries of city employees	196
city solitor to direct investigation	196
city solicitor to make report	196

LEASES	
given by city, how executed	8

LIBRARY, PUBLIC. See PUBLIC LIBRARY DEPARTMENT.

LICENSES	
when act is prohibited by ordinance without license of certain officer or board, such officer or board to have power to grant	20
for stands for hackney carriages, etc.	207

LICENSES— <i>Continued.</i>	PAGE
to persons to use and drive vehicles for conveyance of persons or property for hire	207
dealing, etc., in junk, etc., prohibited without	181
for carrying on business of a pawnbroker	209
to manufacture, etc., petroleum	183
of drain layers	124
to dig up, etc., streets	109-124-129-130
to obstruct streets	130
to exhibit animals in street	187
to move buildings through streets	133-205
to put plank walks on sidewalks	134
to construct coal-holes, etc., in sidewalks	135
to innholders, etc., granted by aldermen	12
also other licenses	12
licenses may be revoked by aldermen	12
no private drain shall enter sewer without a license	124
licenses shall contain certain conditions	124-159
intelligence offices, regulations concerning	203
sales by minors, regulations concerning	205
billiard and other amusement, regulations concerning	208
pawnbrokers, dealers in junk, etc., regulations concerning	209
concerning small loans, regulations	211
issuing of subject to conditions	166
not to be valid if bond is not given	166
additional sureties to be given	166
premises to be restored at licensee's cost	166
sureties to be examined annually by author	166
repeal of ordinances inconsistent with	166
 LIGHTS. See STREET DEPARTMENT.	
to be put up in streets when unsafe	129-30
penalty for extinguishing, etc., such	132
 LINE. See CONSTRUCTION OF BUILDINGS.	
of street to be obtained before building	44
city engineer to furnish	44
 LITTER	
disposal of in streets and commons	194
 LOANS	
small, regulations concerning	211
 LOANS, VARIOUS	
for what time to be negotiated	126
treasurer shall negotiate all	139
See SINKING FUND DEPARTMENT.	
 LOCKUPS, KEEPER OF	
appointment of	23
 LUMBER. See CONSTRUCTION OF BUILDINGS.	
 MATERIALS	
contracts for	13
schedules of, to be shown to parties proposing to bid	157
or supplies, proposals for furnishing	157

	PAGE
MAYOR. See EXECUTIVE.	
MEASURERS, PUBLIC	
appointment of	6-8-23
MEASURERS OF WOOD AND BARK	
appointment of	23
MECHANICS' WORK	
surveyers of	23
MEASURERS OF GRAIN	
appointment of	23
MEASURERS AND SURVEYORS	
appointment of	23
MEETINGS	
annual, for election, when holden	4
all general and ward, to be holden in pursuance of warrants	5
warrant for general	5
for meetings to fill vacancies	5
precinct, warrants for	171
how issued and served	171
general, shall be called at request of thirty voters	5
how served	172
proceedings at	172
of aldermen to be presided over by its president	11
of common council to be presided over by its president	12
in joint convention by president of board of aldermen	11
special, of either board may be called by mayor	6
special, of board of aldermen may be called by president of aldermen	11
MESSENGER, CITY. See CITY MESSENGER DEPARTMENT.	
METERS. See WATER WORKS DEPARTMENT.	
MILITARY AID. See STATE AID.	
MILK, INSPECTOR OF. See INSPECTION OF MILK AND VINEGAR DEPARTMENT.	
appointment of	23
MINORS	
dealers in junk not to purchase from	182
pawnbrokers not to receive articles in pawn from, except, etc.	211
licenses, regulations concerning	205
MONEY	
care and custody of, by treasurer	139
payment of, out of treasury	34
of city in hands of city officers	155
to be accounted for by boards and officers	9
not to be expended in excess of appropriation	9
officers and boards reciving, shall keep record of	155
all persons having money of city shall pay it forthwith to treasurer	155

	PAGE
MORTGAGES	
treasurer shall certify payments of, to mayor	141
mayor may discharge	23
mayor may assign	23
MUNICIPAL OFFICERS. See OFFICERS.	
MUNICIPAL POWERS	4
MONTHLY MEETINGS OF EXECUTIVE BOARDS	35
of aldermen and common council to be attended by the city clerk	39
of aldermen and common council to be attended by the city messenger	41
MOVING BUILDINGS. See BUILDINGS.	
MUNICIPAL ELECTIONS. See ELECTIONS.	
MUNICIPAL REGISTER	
MUNICIPAL YEAR	
relating to terms of office, beginning and end of	5
NAPHTHA. See PETROLEUM.	
NON-ELECTION OF ELECTIVE OFFICERS	
or refusal to accept office	5
NOTES	
of the city may be paid without mayor's order	34
See AUDITING DEPARTMENT. TREASURY DEPARTMENT.	
OFFICE	
tenure of, under previous ordinances not affected by these ordinances	20
OFFICE HOURS	
at the city hall	155
OFFICERS	
powers of, continued by new charter	14
election of, by the people	5
term of office of elective officers	5
vacancies, how filled	5
removal from ward	5
mayor to have general control of	6
mayor shall cause to be punished for neglect	6
may be summoned by mayor for consultation	6
shall be resident citizens	6
non-elective to be appointed by mayor, except	6
terms of office of non-elective officers	6
appointed officers to be confirmed	6
appointment not to be acted on by aldermen for one week	7
certain, how removed	7
shall account to city council for moneys	9
shall hold offices until successors are chosen, etc.	12
mayor may designate other officer to perform duties	22
when to execute conveyances, etc.	22
list of, to be appointed by the mayor	23-24-25
may license or permit anything prohibited from being done without their license or permission	20
to keep records as directed by committee on accounts	33

	PAGE
OFFICERS—Continued.	
shall keep a record of moneys received	155
shall pay moneys received to treasurer, daily	155
certain officers shall pay weekly	155
shall make returns to the auditor	155
shall have control of appropriations of their departments	156
not to expend money until appropriated	159
shall not expend more than \$300 for one purpose without approval of mayor, except	157
shall be governed in their purchases by the provisions of chapter 27	157
shall advertise for proposals	157
shall send copy of advertisement to auditor	157
shall prepare plans to be shown to bidders	157
bond required of	157
See CONTRACTS.	
cause of removals of subordinates to be entered on record	158
what records to be kept, and open to public	159
licenses to contain certain conditions	159
shall send annual estimates to mayor	13-159
shall furnish sureties on their bonds	159
shall not object to or advocate before the legislature any act	159
at heads of departments. See DEPARTMENTS.	
OFFICES.	
of emolument, members of city council ineligible to	11
of emolument under overseers of poor, members of board ineligible to	12
certain offices, hours for business	155
shall be closed at 2 o'clock Saturdays	156
OIL. See PETROLEUM.	
OLD METALS. See JUNK.	
ORDINANCES AND BY-LAWS	
by-laws shall be denominated ordinances	19
enacting style of	19
mayor shall enforce	6-22
shall be approved by mayor	7
how recorded and published	19
what to be known as the revised ordinances of 1892	19
what previously existing continued by the revised ordinances	19
what repealed by the revised ordinances	19
repealed or suspended, how affected by the revised ordinances	20
what shall continue in force	13
inconsistent with new charter annulled	13
general penalty for violation of	21
penalties for violation of particular. See PENALTIES.	
penalty for violation of, when not specified	20
on health to be enforced by board of health	53
city council may make, and annex penalties	8
shall be published in newspaper	8-19
finest and forfeitures for violation of, shall inure to the city if not vetoed in ten days, to be in force	7
partial veto	7
to regulate the loads of vehicles	8
to provide for needful officers	8

	PAGE
ORDINANCES AND BY-LAWS — <i>Continued.</i>	
style of book to record ordinances	19
record book, where to be kept	19
repeal of ordinance shall not revive pre-existing ordinance nor affect penalties incurred	20
nor interfere with pending suit or prosecution	20
when anything is prohibited by, such thing may be licensed construction of various words and terms used in	20
creating the several departments	21
who to have charge and management of departments	21
ORDERS	
shall be approved by mayor	7
if not vetoed in ten days shall be in force	7
partial veto	7
OVERSEERS OF THE POOR DEPARTMENT	
creation of	21
under charge of what officers	21-116
under control of mayor	21
ordinance in relation to	116
shall have charge of the almshouse	116
shall make rules for the government of the same	115
shall keep books, vouchers, etc.	116
election of overseers	116
overseers, of whom to consist	116
term of office	116
may be removed by the mayor, subject, etc.	7
vacancies in board	116
organization, powers and duties of board	12-116
no member eligible to office of emolument under the board	12
annual meeting and organization of	12
choice of officers and agents	12
fixing their duties and salaries	12
to report to city council	8
OXEN	
not to go at large or graze on streets	187
PARK DEPARTMENT	
creation of	21
under charge of what officers	21-117
under control of mayor	21
ordinance in relation to	117
appointment of commissioners	117
term of office	117
vacancy in board	117
election of president of board	117
shall make rules and regulations	117
powers and duties	117
shall appoint superintendent, etc.	117
shall make annual report	117
may sell personal property connected with parks	118
duties of president of board	118
no member to be interested in any contract, etc.	118
duties of superintendent	118
city engineer to perform work within province of civil engineer	118
shall have general care of commons, etc.	118
shall have care of trees, etc.	118
loans for parks not to exceed time designated in act	126

	PAGE
PARTITION AND PARTY WALLS. See CONSTRUCTION OF BUILDINGS DEPARTMENT.	
PAWNBROKERS	
regulations concerning	209
appointment of inspectors of	23
PAY OF CITY EMPLOYEES INJURED WHILE ON DUTY. See CONTINUANCE, ETC.	
PAY-DAYS	
for employees	35
for other persons, and bills	35
PAY-ROLLS	
of employees, when made up	33-35-141
of other persons	35
PENALTIES. (See chapter 44.)	
to be fixed by ordinance	8
incurred under previous ordinance not affected by these ordinances	20
for violation of ordinances, generally	21
for violation of ordinances, etc., to inure to use of city	20
for sale and delivery of impure ice	165
for keeping barking, biting, etc., dogs in the city	177
for violating provisions of ordinances relating to Fresh Pond	192
for cutting into, etc., a common sewer	125
for entering a private drain into a common sewer	125
for placing filthy substance, etc., in street catch-basin	125
for violating the provisions of the ordinances relating to sewers	125
for fast driving in street	191
for not affixing legal street numbers	129
for extinguishing, etc., lights put up in streets in certain cases	132-191
for being in possession of clubs, bludgeons, toy pistols, rubber slings, etc.	191
for remaining on sidewalk so as to obstruct the same	191
for tipping over ash-barrels, etc.	191
for not removing snow from sidewalk	136
for not removing, etc., ice from sidewalk	136
for violation of ordinance relating to the City Electrical Department	111
for violation of ordinance in relation to ringing of gongs, etc.	193
for violation of ordinance in relation to disposal of rubbish in streets	194
for violation of ordinance in relation to children under sixteen	195
employers liable for acts of employees	20
PENSIONS FOR FIREMEN. See FIRE DEPARTMENT.	
PERPETUAL CARE OF LOTS IN CEMETERY. See CEMETARY DEPARTMENT.	
PERMITS	
issuing of, subject to conditions	166
not to be valid if bond is not given	166
additional sureties to be given	166
premises to be restored at licensee's cost	166
repeal of ordinances inconsistent with	166

	PAGE
PETROLEUM	
proceedings on application for license to manufacture, store, etc.	183
licenses to be granted by aldermen	183
licenses to manufacture, etc., to contain certain statements	184
premises of licensee to be open to inspection	184
violation of terms of license to work a revocation	184
license not to be granted for manufacturing, storing, etc., in certain places	183
to be kept in metallic vessels, when	183
license, how revoked	184
complaints for manufacturing, etc., without license, how made	184
PHYSICIAN, CITY.	
appointment of	24
shall examine city employees injured, etc.	196
shall give certificates, in form satisfactory to city solicitor	196
qualifications of	198
duties of	198
salary of	162-199
shall not expend amount exceeding appropriation	199
shall keep account of expenditures	199
shall employ assistants	199
shall make annual report	199
PIERS. See CONSTRUCTION OF BUILDINGS DEPARTMENT.	
PISTOLS. See FIRE ARMS.	
PLACARDS. See SIGNS.	
PLANK WALKS. See STREET DEPARTMENT.	
PLANS	
belonging to the city, the city clerk to have custody of	39
of common sewers, how made	123
of common sewers, to be kept in rooms of city engineer	125
PLATFORM	
of entrance to cellar, etc., regulations in regard to	133
PLUMBING. See CONSTRUCTION OF BUILDINGS DEPARTMENT.	
POLICE DEPARTMENT	
creation of	21
under charge of what officer	21-119
under control of mayor	21
ordinance in relation to	119
members of, to pay to treasurer weekly all fees, etc., received, except, etc.	155
salaries of	214
to give notice of blockade, etc., of streets	128
to report waste, etc., of water	153-154
chief of, to make annual returns to the city councils, of all fees, etc., received by members of police force	119-155
salary	214
administration of police, vested in mayor	119
station for confinement of women to be designated	25

	PAGE
POLICE OFFICERS	
appointment of	25
tenure of office	119
without pay, appointment of	23
shall report waste to water registrar	153
shall aid board of health if required	53
members may be removed, how	7
number and compensation fixed by board of aldermen	12
also regulations for its government	12
chief to have care and custody of certain property	119
his duties	119
shall keep a record of business of the department	119
shall make reports to mayor	119
shall make annual report to city council	119
police signal system in charge of the city electrician	105
candidates to be examined by city physician	198
city physician shall attend prisoners in police stations	198
shall control transportation of injured persons, etc.	119
shall respond to calls for use of emergency ambulance	119
reserve police officer, estimating years of service of	214
notice to be sent to mayor of increase of pay of	214
POLICE MATRONS	
appointment of	25
POLL TAXES. See TAXES.	
PORCHES AND PORTICOS. See CONSTRUCTION OF BUILDINGS DEPARTMENT, ALSO STREET DEPARTMENT.	
persons not to loiter on	187
POST, POLE, OR OTHER STRUCTURE IN STREET	
condition of maintaining	137
POUND KEEPER	
appointment of	23
PRECINCTS. See WARRANTS AND ELECTIONS.	
PRESIDENT OF BOARD OF ALDERMEN	
how elected	11
his duties	11
he may call special meetings	11
shall be a member of the committee on finance	160
shall be a trustee of Bridge charitable fund	173
shall be a trustee of Sanders temperance fund	174
mayor shall not preside, nor appoint committees	11
PRESIDENT OF COMMON COUNCIL	
election of	12
duties of	12
shall be a member of the committee on finance	160
shall be a trustee of the Bridge charitable fund	173
shall be a trustee of the Sanders temperance fund	174
PRESIDENT OF WATER BOARD	
to be elected by water board	144
duties of	145
PRIVIES. See CESSPOOLS.	

	PAGE
PROCEEDINGS	
pending, not affected by these ordinances	19
PROPOSALS	
for materials and supplies	157
for contracts, how solicited, received and opened	157
See CONTRACTS.	
PROSECUTIONS	
pending, not affected by these ordinances	19
PROVISIONS, INSPECTORS OF. See INSPECTOR OF PROVISIONS, ETC.	
PUBLIC BUILDINGS, SUPERINTENDENT OF. See CONSTRUCTION OF BUILDINGS DEPARTMENT.	
PUBLIC GROUNDS. See STREETS.	
construction of term	20
PUBLIC LIBRARY DEPARTMENT	
creation of	21
under charge of what officers	21-120
under control of mayor	21
ordinance in relation to	120
board of trustees, how constituted	120
organization of the board	120
appointment of board of trustees	24-120
trustees to choose librarian	120
duties of trustees	120
trustees to expend moneys, how	120
to establish fees for use of	120
to make by-laws	120
trustees to make annual report	120
moneys received to be paid into city treasury, quarterly .	120
moneys for use of, when to be paid out of treasury . . .	120
PUBLIC STATUTES. See STATUTES.	
accepted by the city, list of	215
PUBLIC MONEY. See MONEY, AUDITING DEPARTMENT, OFFICERS, AND TREASURY DEPARTMENT.	
PUBLIC PLACES. See STREET DEPARTMENT, ALSO PUBLIC GROUNDS.	
PUBLIC PROPERTY	
care and custody of	13
annual statement of, to be published by city council . . .	9
PUBLIC SQUARES. See STREET DEPARTMENT.	
PUBLIC WORKS. See PUBLIC PROPERTY.	
engineer shall have charge of construction of	43
PUBLIC WEIGHERS. See CITY SCALES AND WEIGHERS.	
QUORUM	
of board of aldermen, a majority	8
of common council, a majority	8
RECEIPTS AND EXPENDITURES	
auditor's monthly and annual statements of	34
treasurer's statements of	141-143
monthly statement of	143
annual statements of	9

	PAGE
RECORDS, ETC.	
to be transferred by city clerk to his successor	10
of the city, city clerk to have custody of	39
shall be kept by officers and boards in charge of depart- ments	159
shall be open to public inspection	159
of committees not to be so open	159
REGULATIONS OF BOARD OF ALDERMEN	203
REGULATIONS	
general, for streets, commons and other public places	187
REFUSE See ASHES.	
REGISTRARS OF VOTERS	24
salary of	162
salary of clerk	162
REPEAL	
not to revive any act theretofore repealed	15
of original charter, etc , and other acts	14
not to affect any right or penalty	15
REPORTS. See under VARIOUS BOARDS AND HEADS OF DE- PARTMENTS.	
RESERVOIRS	
to be in charge of superintendent of water works	145
for water supply, general regulations as to	192
injury to public, prohibited	192
REMOVAL	
of municipal officers from one ward to another	5
REMOVAL OF BUILDINGS. See BUILDING REMOVALS, and STREET DEPARTMENT.	
RESOLUTIONS	
shall be approved by mayor	7
if not vetoed in ten days shall be in force	7
partial veto	7
REVISED ORDINANCES OF 1892	
what ordinances to be known as	19
what repealed by	19
construed as continuations of previously existing ordi- nances, when	19
not to affect any act done, right accrued, penalty incurred, etc.	20
not to affect the tenure of any person's holding office, etc.	20
repeal by, not to affect any ordinance adopted, accepting provisions of any statute	20
repeal of any ordinance by, not to revive any ordinance repealed or suspended	20
general penalty for violation of	21

	PAGE
RIGHTS	
accrued, not affected by these ordinances	20
ROADS AND BRIDGES. See STREET DEPARTMENT.	
RUBBISH	
not to be placed in streets, unless, etc.	134
disposal of litter, etc , in streets and commons	194
SALARIES. See DUTIES AND SALARIES.	
of city officers	8-160
to be in full for all official services	162
established by aldermen, what	214
teachers of public schools how to be paid	33
of janitors	162
SALT	
not to be used by street railway corporations to remove snow from rails, etc.	133
SANDERS TEMPERANCE FUND	
what is	174
trustees of fund	174
duties of trustees	174
to appoint agent	174
chairman of	174
to keep record	174
to make annual report	174
SCALES. See CITY SCALES AND WEIGHERS.	
for weighing hay, etc., to be established, etc.	168
to be under control of sealer of weights and measures	121
SCHOOL COMMITTEE	
election of	5
their term of office	5
shall be inhabitants of ward	5
mayor, <i>ex-officio</i> chairman of	6
bills approved by, how certified	35
vacancies	5
Public Statutes, Chapter 44, § 22	
duties of	12
to elect a superintendent of schools	12
also teachers of public schools	12
may employ clerks and attendants	12
power not to be restricted	13
majority to be present when bills are approved	35
removals by	12
janitor of schoolhouses, how appointed and removed	12
duties of janitors	12
SCHOOL TEACHERS	
to be elected annually	12
SEAL OF THE CITY. See CITY SEAL.	

	PAGE
SEALER OF WEIGHTS AND MEASURES DEPARTMENT	
creation of	21
under charge of what officer	21-121
under control of mayor	21
ordinance in relation to	121
appointment of	24-121
salary of	162
duties	121
annual report and inventory	121
removal	121
to have control of public scales	121

SECOND-HAND ARTICLES. See JUNK.

SEWER DEPARTMENT

creation of	21
under charge of what officer	21-122
under control of mayor	21
ordinance in relation to	122
city council may take land for sewers	9
damages for taking land	9
appeal from estimate of damages	9
what to be deemed common sewers	122
common sewers to be laid only by city	122
water pipes, etc., to be laid so as not to interfere with	122
if interfering, to be removed, etc.	122
city engineer and superintendent of water works to con- sult	122-129
superintendent of, how appointed	122
tenure of office of	122
compensation	122-214
city engineer to make plans of	123
to have care of catch basins, etc.	123
to keep account of cost of	123
to make annual report of work done on	123
what part of cost of, to be assessed	123
plans of estate to be assessed, to be prepared	123
assessments, how determined	123
standard rate of assessment	123
apportionment of assessments	30
amounts assessed to be entered on plans	123
drain-layers to be licensed	124
drains entering, to be constructed by persons licensed therefor	124
drains entering, how laid and built	124
bond of drain-layers	124
private drain, not to enter without a permit	124
permits to be granted by city engineer	124
private drain from estate not already assessed not to enter without consent of aldermen	125
plugs, etc., when required in drains	125
reconstruction of drains already built, when to be made	125
exhausts from steam engines, etc., not to be connected with common sewer or private drain	125

	PAGE
SEWER DEPARTMENT — <i>Continued.</i>	
penalty for cutting into, etc.	125
for entering a private drain into	125
for placing, etc., any substance, etc., in catch basins	125
for violation of provisions of ordinance relating to plans of, to be kept in rooms of city engineer	125
such rooms to be a part of the office of city clerk	125
drains when opened to be fenced and lighted	133
treasurer to collect assessments	141
loans for construction not to exceed twenty years	126
 SEWERS, SUPERINTENDENT OF. See SEWER DEPARTMENT.	
appointment	122
to be subordinate to city engineer	122
term of office	122
compensation, how fixed	122
 SHOWBOARDS. See SIGNS.	
 SHUT-OFFS	
in gas supply pipes	178
 SIDEWALKS. See STREET DEPARTMENT.	
aldermen may authorize construction, etc., of	11
material of sidewalks	11
expense of sidewalks and edgestones	11
expense of sidewalks, etc., how assessed	11
expense shall constitute a lien, etc.	11
shall be maintained at expense of city	11-134
apportionment of assessments	30
 SIGNS	
street, to be maintained by city	128
not to be placed on trees on commons, etc.	190
dealers in junk, etc., to have certain, on their shops, etc.	181
not to be placed or carried on sidewalk without, etc.	189
not to be inserted in sidewalk without a permit	135
 SINKING FUND DEPARTMENT	
creation of	21
under charge of what officers	21-126
under control of mayor	21
ordinance in relation to	126
commissioners, how appointed	24-126
term of office	126
vacancies	126
no member of city council to be	126
duties of commissioners	126
loans for public buildings to be for ten years	126
loans for construction of sewers to be for not more than twenty years	126
loans for Harvard Bridge to be for not more than thirty years	126

	PAGE
SINKING FUND DEPARTMENT— <i>Continued.</i>	
loans for parks and other purposes not to exceed time designated in act	126
bonds for loans to state purpose of issue	126
appropriations for sinking fund	126
when to be paid to commissioners	127
concerning interest	127
commissioners to certify to auditor the sums required for sinking fund	127
city treasurer to be furnished with money to pay debts of annual report of board	127
sinking fund of water works	127
treasurer may be elected treasurer of	139
salary of treasurer of fund	154-161
SKATING. See FRESH POND.	
SLINGS	
rubber, possession of, on steets forbidden	189
SMALL LOANS	
regulations concerning	211
SNOW. See STREETS.	
city scales to be kept clear of	168
removal of, by street railway corporations	133
salt, etc., not to be used on street railway tracks to remove not to be thrown into street without being broken up	134
removal of, from sidewalks, and penalty	136
who responsible for removal of	136
penalty	136-137
SNOW GUARDS. See CONSTRUCTION OF BUILDINGS DEPARTMENT.	
SNOW BALLS	
not to be thrown in the streets	188
SOLDIERS. Also see STATE AID.	
persons to cause to be interred bodies of indigent	25
soldiers' aid clerk, salary of	214
SOLICITOR, CITY. See LAW DEPARTMENT.	
SPECIAL MEETINGS. See MEETINGS.	
SPECIFICATIONS	
for any work to be done, to be prepared and shown to bidders	157
SQUARES. See STREET DEPARTMENT.	
STANDS	
for vehicles See CARRIAGES, ETC.	
STATIONERY	
to be furnished by the city messenger	41
STATUTES	
list of public statutes accepted by the city	215

	PAGE
STATE AID	
how certified and paid	33
compensation of clerk	214
STEAM BOILERS. See CONSTRUCTION OF BUILDINGS DEPARTMENT.	
blow off from, not to be connected with sewers or drains	125
STEAM ENGINES. See CONSTRUCTION OF BUILDINGS DEPARTMENT.	
exhausts from, not to be connected with sewers or drains	125
STEAM HEATING APPARATUS. See CONSTRUCTION OF BUILDINGS DEPARTMENT.	
STEPS	
persons not to loiter on	187
provisions as to, when projecting into streets	133
STONES	
not to be thrown in streets	188
STREET DEPARTMENT. See STREETS, COMMONS, ETC.	
creation of	21
under charge of what officer	21-128
under control of mayor	21
ordinance in relation to	128
STREETS, COMMONS, ETC. See also CONSTRUCTION OF BUILDINGS DEPARTMENT.	
streets, construction of the word	20
to be laid out, etc., by city council	9
damages, by whom estimated	9
petitions for laying out, altering, etc., to be first acted upon by board of aldermen	9
appeal from decision concerning laying out, etc.	9
from estimate of damages	9
water from roof not to be allowed to flow across sidewalk to	
not to be torn up after notice by superintendent of streets, except, etc.	129
to be known by names heretofore given them	129
names of to be given and changed by the city council	129
board of aldermen may number buildings on	129
penalty for not fixing legal numbers on buildings on	129
aldermen may authorize, etc., the construction of sidewalks	11
material of sidewalks	11
expense of sidewalks and edgestones	11
expense of sidewalk how assessed	11
treasurer to collect sidewalk assessments	141
expense shall constitute a lien, etc.	11
mayor to direct the removal of obstructions	25
all plans of, to be under charge of city engineer	43
engineer shall notify mayor of encroachments in	44
engineer shall give lines and grades	44

	PAGE
STREETS, COMMONS, ETC. — <i>Continued.</i>	
engineer shall supervise repairs on certain bridges	43
engineer shall annually examine certain bridges	44
fence to enclose while building	79
not to be opened for six months after previous openings	129
excavations, obstructions, and projections, in	129
not to be dug up, etc., without license	109-129
superintendent may grant license	130
bond to be given	130-131
if dug up, obstructed, etc., fence and lights to be put up	124-130
footpath to be maintained	130
restoration of, after they have been dug up under a license	110-124-130
openings in, manner of repair	122-130-131
notice of opening or obstruction of, to be given to super- intendent of streets	128
requiring repairing and resurfacing within one year from time of excavation	130
department or corporation responsible for damages within one year from opening or obstruction	131
violation of conditions of license	132
defects in public ways	132
licenses to person repairing water pipes	132
licenses for raising and lowering goods, etc.	132
penalty for extinguishing, etc., certain lights	132
gates, etc., not to swing over sidewalk	132
doorsteps, porticos, porches, entrances or passage-ways to cellars, etc., regulations in regard to	133
if cavity dug near, fence to be put up	133
use of streets	133
buildings not to be moved through, without license	133
license to move buildings through, to be granted only after public notice	133
licensee to give bond	133
chimneys of such building to be taken down	133
animals, fowls, etc., not to be allowed to go at large, etc., in animals not to be exhibited in, without license	187
fast driving in, prohibited	187
carriages not to stop on flagging stones	187
frightening horses in, forbidden	187
carriages and horses not to be cleaned in	188
gaming and exposing gaming devices in, forbidden	188
tables, stalls, etc., for sale of merchandise in, forbidden	188
fire-arms, discharge of in, forbidden	188
bonfires in, prohibited	188
injuring guide-boards, lamp-posts, trees, etc., in, prohibited	188
defacing property forbidden	188
playing ball in, prohibited	188
throwing missiles in, prohibited	188
shooting with bows and arrows in, forbidden	188
coasting without permission forbidden	188
bathing in view, forbidden	189
carpets not to be shaken or cleaned in	189
possession of clubs, etc., in, forbidden	189
possession of toy pistols, rubber slings, etc., prohibited	189
rude and disorderly conduct and indecent language in, forbidden	189

STREETS, COMMONS, ETC.— <i>Continued.</i>	PAGE
dirt, etc., not to be placed in drinking troughs, etc.	189
riding a bicycle, etc., at rate of speed exceeding	188
use of velocipedes restricted	188
lamps in, not to be lighted or extinguished without authority	189
disposal of litter and rubbish in	194
children under sixteen not to loiter on, except	195
rubbish, etc., not to be placed in	134
dead trees, etc., not to be deposited in, except	134
rubbish, shrubs, etc., to be removed by superintendent during certain months	134
fuel not to remain unnecessarily in, if it remains after dark to be lighted	134
snow and ice not to be thrown into, without being broken up	134
snow and ice not to be thrown into street contrary to orders of superintendent	134
snow, removal of, by street railway companies, regulated	133
salt, etc., not to be used on tracks, etc., of street railways	133
use of brine, etc., on street railway tracks forbidden	134
trees, climbing, tying horses to, etc., prohibited	187
posting bills on, forbidden	187
records of streets to be kept by city clerk	134
ashes and other house dirt, how removed	135
such not to obstruct use of sidewalk	136
when city may remove from yard	136
if ashes, etc., are left on, after dark, lighted lantern to be placed on	136
ash-barrels, etc., tipping over, forbidden	190
regulations as to canopies, awnings, etc.	137
streets not to be torn up, etc., for laying telegraph wires, etc., without license	109
when repaired, removal, etc., of conduits to be at expense of owners, etc.	110
loads of vehicles to be regulated by ordinance	8
streets to be properly restored	110
no wire to be attached to pole of another company except petitions for poles shall state exact location	109
public hearing shall be given	109
persons shall not deface public bridge or wharf	190
or unnecessarily open or obstruct the draw	190
shall not fasten vessels, etc., to bridge	190
in passing through draw to comply with directions of drawtender	190
horses forbidden on commons, or public grounds	190
earth not to be removed from commons, etc.	190
filth, dirt, etc., not to be placed on commons, etc.	190
wheelbarrows, bicycles, etc., forbidden on public ground	191
carpets not to be cleaned on	191
refuse, etc., not to be disturbed by other than an employee	191
athletic sports not permitted on	191
public speaking on, forbidden	191
sale of goods on, forbidden	191
erection of booths, etc., on, forbidden	191
injury to seats, fences, etc., on, forbidden	191
defacing of monuments or statues on, forbidden	191
interference with hydrants forbidden	191

	PAGE
STREETS, COMMONS, ETC. — <i>Continued.</i>	
disturbance of flower-beds forbidden	191
dogs and other animals not permitted on	191
throwing of stones, etc., forbidden	191
loans for laying out and widening streets to be for ten years	126
See CITY ELECTRICAL DEPARTMENT.	

SUPERINTENDENT OF STREETS. See STREETS, COMMONS, ETC.

appointment of	24
term of office	128
salary of	161
powers and duties	128
to keep streets, etc , in good repair	128
if opened, superintendent to prevent unnecessary obstruction, and see to the repair	124-131
to put up street signs	128
to hire and control persons in his department	128
to have custody of all property connected therewith	128
to make contracts for labor and materials	128
office hours of superintendent	156
annual report	128
when street is unsafe, etc., to put up fence and lights	128
sewer, lamp, and water departments, etc., to be notified by, when he is about to construct or break up surface of street	129
removal of snow from streets by street railway to be under direction of	133
to keep entrances to catch-basins open, etc.	123-128
shall keep a record of notices of defects	132

SIDEWALKS. See STREETS, COMMONS, ETC.

shall be maintained at expense of city	11-134
when owner to make repairs	134
record of to be kept by city clerk	134
plank walks not to be laid without license	134
to be constructed in accordance with plan of city engineer	135
to be removed on order of board of aldermen	135
shall be taken up by owners on order of superintendent of streets	135
coal holes not to be constructed without license	135
size and use of coal holes	135
covers to have legs, etc	135
signs not to be placed in sidewalk	135
conductor not to direct water across	135
snow and ice to be removed by tenant	136
penalty	136
owner to remove snow and ice if no tenant	136
penalty	136
temporary, to be maintained when building	137
awnings, etc., not to be erected without permission	137
conditions relative to maintaining coal holes, posts, poles, conduits, etc., in street	137

	PAGE
SIDEWALKS — <i>Continued.</i>	
owner shall indemnify city against damages	137
persons not to loiter more than twenty minutes on sidewalk	187
nor more than five minutes after being requested to move	187
no person shall place or carry a sign on a sidewalk without authority	189
vehicles on sidewalks prohibited	189
obstructions on sidewalk prohibited	189-190
banana skin, orange peel, etc., not to be thrown on sidewalk	190
STREET RAILWAYS	
snow not to be removed from tracks except	133
salt, etc., not to be put on tracks	133
regulations concerning	203
SUB-AUDITOR. See AUDITING DEPARTMENT.	
how may be designated	35
term of service	35
duties	35
auditor to be responsible for	35
SUBORDINATES.	
how appointed and removed	12-13
terms of service	13
causes for removal to be assigned in writing	13
appointments and removals to be certified to mayor	13
shall furnish information to mayor and city council	13
may be summoned by mayor for advice, etc.	22
SUITS	
pending, not affected by these ordinances	20
SUPERINTENDENT OF PUBLIC BUILDINGS. See CONSTRUCTION OF BUILDINGS DEPARTMENT.	
SUPERINTENDENT OF SCHOOLS	
to be annually elected	12
SUPERINTENDENT OF SEWERS. See SEWER DEPARTMENT.	
SUPERINTENDENT OF WATER WORKS. See WATER WORKS DEPARTMENT.	
SURVEYOR OF HIGHWAYS. See EXECUTIVE.	
the mayor to be	6
power not limited by certain ordinances	138
SURVEYORS OF MECHANICS' WORK	
appointment of	23
SURVEYORS, PUBLIC	
appointment of	6-8
SWIMMING	
so as to be exposed to view of persons in streets, forbidden	189
SWINE	
not to go at large in streets	187

	PAGE
TAXES. See ASSESSORS' DEPARTMENT AND TREASURY DEPARTMENT.	
list of, when to be placed in the hands of collector	29
record of abatement of	29
collection of sewer and sidewalk assessment	141
apportionment of sewer and sidewalk assessments	30-141
treasurer to be collector of taxes	10-139
deputy collectors of taxes	10-142
treasurer may issue warrants	10
disposal of fees for collection of	10-142
list of assessments, when to be placed in treasurer's hands	29
record of abatement of, to be made	29
on polls, how collected	142
summons to delinquents	142
treasurer to give notice on tax-bills	143
interest on, when unpaid October 10th	142
 TAX TITLES	
mayor may release, when	23
 TAXES, ABATEMENTS OF	
certificate of	29
 TELEPHONE COMPANIES. See CITY ELECTRICAL DEPARTMENT.	
 TERMS OF OFFICE	
of officers elected by the people	5
 TOY-PISTOL	
possession of, on streets forbidden	189
 TREES. See STREET DEPARTMENT.	
on commons, etc., not to be climbed, nor horses tied to, nor bills posted on, etc.	190
on land appurtenant to Fresh Pond not to be climbed, nor horses tied to	192
in streets not to be climbed, nor horses tied to, nor bills posted on, etc.	187
 TROUGHES	
for drinking, not to be contaminated	189
 TRUANTS	
provisions relative to	175
Middlesex County Truant School provided for confine- ment of	175
 TREASURY DEPARTMENT	
creation of	21
under charge of what officer	21-139
under control of mayor	21
ordinance in relation to	139
election of treasurer	10
to be sworn	10
tenure of office	10-139
salary of	160
his general duties	139

	PAGE
TREASURY DEPARTMENT — <i>Continued.</i>	
to make annual report to city council	141-155
to make monthly report to auditor	141
removal from office	10
vacancy	139
shall deliver property of city to successor, etc.	10
treasurer to be collector of taxes	10
powers as collector of taxes	10-139
as such may issue warrant for collection of taxes	10
may appoint deputy collectors of taxes	10
bonds of deputies	10
powers of deputies	10
fees for collection of taxes, etc., how disposed of	10-11
shall negotiate all loans	139
assessments for construction of sewers, etc., to be reported to	30
to be notified of designation of sub-auditor	35
shall receive daily, amount of fees, etc., received by city officers	39
to have custody of auditor's bond	31
assessors, to address certificates of abatement to	29
treasurer to be collector of rents, water rates, etc.	140
to give notice that bills for water rates are due	140
to collect bills due for water, etc.	140
to make daily reports of receipts on account of water works to water registrar	140
water registrar to deliver bill for water rates to	149
water registrar to furnish certificates of abatements and refund to	150
to keep account of receipts and payments	140
to pay to commissioners of sinking funds, certain sums annually	127
to receive from commissioners of sinking funds, sums of money required to pay city debts	127
accounts of to conform with auditor's	140
to keep a separate account for each department	140
to pay out money only on mayor's order, except, etc.	141
to collect assessments for sewers and sidewalks	141
bond of treasurer	140
heads of departments to furnish weekly pay-rolls of employees to	141
fees, charges, etc., to be property of city	10-11-142
to make monthly statement of fees, etc., to auditor	141-142
necessary expense of deputy collectors, etc., may be allowed	142
clerks in office of, how appointed	156
salary and removal of such clerks	156
to make up his accounts to include November 30	141
to sign bonds, etc., for the payment of money	139
collection of poll-taxes by	142
demand of payment of other taxes by	142
to issue summons to delinquents when	142
to give notice on tax bills	143
to receive notice for perpetual care of lots in cemetery	37-139

	PAGE
TREASURY DEPARTMENT — <i>Continued.</i>	
shall notify superintendent of cemetery of such payments	139
to pay interest on such moneys to cemetery commissioners	37-140
shall invest cemetery fund	140
to certify to mayor the payment of mortgages	23-141
to make annual statement to the city council of all fees, etc., received by him	141-155
to collect bills delivered him by board of health	53
office hours of treasurer	155
all drafts upon to be signed by mayor and countersigned by auditor	32
auditor shall certify all bills to	32
certificates signed by auditor shall be paid by	32
form of certificate of auditor	32
shall give to auditor, notes, bonds, executions, etc., which are paid	32
committee on accounts to determine method of book- keeping	33
mayor authorized to draw orders on, when certified	33
mayor authorized to draw orders on, when not certified, for what	33
treasurer may pay judgments against the city	34
treasurer may pay principal or interest of bonds, notes, etc.	34
treasurer may pay refunds certified to water board	34
no money to be paid, unless previously granted and ap- propriated	9
proceedings before money is paid out of treasury	120
fees from public library to be paid quarterly into the treasury	120
shall use money and property of city, as directed by city council	139
financial year to begin December 1	139
treasurer may be elected treasurer of sinking funds	139
shall pay all drafts, checks and orders	139
shall pay all executions against the city	139
shall pay all bonds and interest	139
shall cancel all bonds, etc., and transmit to the auditor	139
shall receive money for dog licenses	140
shall credit the same to the appropriation for the public library	140
his election void if bond not given	140
new election to be had forthwith if bond not given	140
he shall notify mayor of death or insolvency of sureties on bond	140
shall give a strengthening bond	140
failure to give new bond, consequence	140
shall make weekly payments to employes	141
may send clerk or pay-master to pay employes	141
may transport pay-master to place of payment	141-142
shall render monthly statements to mayor	143
officers and boards to pay into, daily all money received	155
certain officers and boards to pay into, weekly, all money received	155
committee on finance to examine and audit accounts of	160

	PAGE
UNDERTAKERS	
appointment of	24-185
term of office	185
no person except, to bury bodies of deceased persons	185
all deaths to be reported to	185
duties and powers	185
may employ porters	185
removal of undertakers and porters by mayor and aldermen	185
opening of graves	185
fees	185
fees to be printed upon licenses	186
VACANCIES	
certain, may be filled by mayor	22
VAULTS. See CESSPOOLS.	
VEHICLES. See CARRIAGES.	
conveying gunpowder, regulations as to	179
used in collecting junk	182
not to be driven on sidewalk	189
regulation concerning use of streets by	207
VELOCIPEDS	
use of on sidewalks restricted	188
VETO POWER	
of mayor	7
objections to be entered upon records	7
reconsideration of matters objected to	7
two-thirds vote required to pass over veto	7
yea and nay vote required	7
matters not returned in ten days to be in force	7
partial veto	7
VINEGAR. See INSPECTION OF MILK AND VINEGAR DEPARTMENT.	
VOTERS	
meetings of, to be called by warrant	5
to elect mayor, aldermen and common councilmen	4
to elect assessors and school committee	5
thirty voters may request a general meeting	5
VOTES OF EITHER BRANCH	
when to be approved by mayor	8
WALLS. See CONSTRUCTION OF BUILDINGS DEPARTMENT.	
WARDS	
number and boundaries of	4-169
city council may alter boundaries of	4
number of members of common council in the several	4-170
removal of officers from, not to affect, etc.	5
change of boundaries not to create vacancies	5
warrants for calling meetings of citizens of	171

	PAGE
WARRANTS AND ELECTIONS	
ordinance concerning	171
all meetings of inhabitants to be holden in pursuance of	5
to be issued by aldermen	5-171
form, service, and return of	5-171-172
new, on failure to elect mayor or members of city council	5
for general meeting of qualified voters	5-172
for elections to fill vacancies	5
 WATER BOARD. See WATER WORKS DEPARTMENT.	
 WATER LOAN. See SINKING FUND DEPARTMENT.	
 WATER RATES. See WATER WORKS DEPARTMENT.	
 WATER REGISTRAR. See WATER WORKS DEPARTMENT.	
 WATER WORKS, SUPERINTENDENT OF. See WATER WORKS DEPARTMENT.	
 WATER WORKS DEPARTMENT	
creation of	21
under charge of what officers	21-144
under control of mayor	21
ordinance in relation to	144
water board to be continued in power	14
how constituted	144
appointment of	24-144
term of office	144
member of city council not to be member of	144
vacancies	144
president of, how elected	144
duties of president	145
may choose a clerk	144
powers of board	144
may appoint a superintendent, water registrar, etc.	144
annual report of water board	144
may sell personal property of the water department	145
shall elect superintendent of water works	145
duties of superintendent	145
members of, not to be interested in contracts, etc.	145
to determine water rates	145
may make regulations as to introduction and use of water	145
to decide what is a waste of water	149
may restrict the use of water	149
may cut off water and impose fines for neglect to comply with its orders	149
may restrict use of hand-hose to certain hours	149
may ascertain by meter the quantity of water used	153
may fix rates for water used for purposes not specified in tariff fixed by ordinance	153
may prevent erection of yard hydrants	153
may prevent supply to water-closets not conforming to plumbing ordinance	153
may prescribe regulations for skating on Fresh Pond	192
<i>registrar</i> to keep a record	147
to make annual report to water board in full	147
shall cut off water for violation of regulations	147-149
to grant permits for alteration, etc., of water pipes in houses, etc.	148

	PAGE
WATER WORKS DEPARTMENT—Continued.	
<i>registrar—continued.</i>	
may enter premises of water takers	149
to make out bills for water, etc.	149
to deliver same to treasurer	149
bills to be numbered	150
to furnish certificates of abatements and refunds	150
to make montly reports of bills and abatements to auditor	150
abatement for error made in rates charged	150
election of registrar	146
his terms of office	146
duties	146
annual report of abatements, bills, etc.	146
to visit annually all premises where water is taken when water rates are not paid, etc., to cut off supply	146-147
may make abatements in water rates	147
shall certify refunds to treasurer	150
<i>water rates, when payable</i>	146
penalty for non-payment of	146
for water supplied through meter	147
may be abated by registrar	148
to be charged to owner of the property	149
for dwelling-houses	150
for apartment houses or family hotels	151
for stores, etc.	151
for private stables	152
for livery stables, etc.	152
for car and omnibus stables	152
for truck and cart stables	152
for hose in a stable	152
for hose	152
for hotels	152
for baths	152
for steam engines	153
for water used through meter	153
for water supplied for other purposes, how fixed	153
to be collected by treasurer	140
treasurer to notify all persons of	140
discounts and abatements to be reported monthly to auditor	141
water used by city to be free of charge	153
receipts for, to be paid into treasury	146
money not to be paid out except	146
<i>water loan</i>	
salary of treasurer of sinking fund	154
<i>water</i>	
for fountains	148
interfering with pipes, reservoirs, etc., forbidden	147
regulations relative to the use of	147
to be printed on bill for water rates	147
persons taking, to keep service pipes in repair	147-148
not to be wasted	148
pipes, etc., inserted by city, not to be altered, etc.	148
not to be supplied to parties not entitled to its use, except by special permission	148
abatement for non-use of	148

WATER WORKS DEPARTMENT— *Continued.*

water— continued.

seal locks on faucets	148
penalty for waste of water, etc.	149
for not keeping service pipes, etc., in good order	149
to consult with superintendent of streets, etc., when street is to be opened	129
injuries to pipes, reservoirs, etc.	147
police to report waste	153-154
to consult with city engineer in regard to location of water pipes	122
opening of water pipe, fire hydrant, etc., prohibited, except	147

WAYS. See STREET DEPARTMENT.

WEIGHERS, PUBLIC

appointment of	6-8-23-168
to be sworn	168
of hay, of coal, of boilers and heavy machinery	23
duties of	168
certificate to be given by	168
accounts to be kept by	168
fees of	168
to keep scales clear of snow, etc.	168
compensation	168

WEIGHTS AND MEASURES. SEE SEALER OF WEIGHTS
AND MEASURES DEPARTMENT.

WHEEL-BARROWS. See VEHICLES.

WIRES. See CITY ELECTRICAL DEPARTMENT.

conditions of maintaining under street	137
--	-----

WHARVES. See STREETS, COMMONS, ETC.

persons not to injure	190
---------------------------------	-----

WEEKLY PAYMENTS

of employees	33-35
------------------------	-------

WOMEN

police stations designated for confinement of	25
---	----

WORKHOUSE

for what persons	176
almshouse to be	176

WORKING DAY

for laborers and mechanics to be nine hours	156
---	-----

YEAR

financial, when it begins	13-34
municipal, relating to terms of office	5



SPECIAL INDEX

CONSTRUCTION, ETC., OF BUILDINGS

SPECIAL INDEX

	PAGE
CONSTRUCTION OF BUILDINGS DEPARTMENT	
creation of	21
under charge of what officer	21-55
under control of mayor	21
ordinance in relation to	55
appointment of inspector	23
ACKNOWLEDGEMENT	
to be given by superintendent of request for certificate of egress	61
AIR DUCTS	
not to be placed in certain buildings	60
or unless protected	77
AIR PASSAGES	
shall have a fire and smoke stop at each floor	79
See FIRE STOP.	
AIR PIPES	
for water closet traps, how made	100
how connected with drain pipe	100
AIR (HOT) PIPES	
how placed in connection with wood work	60
register boxes, how made and placed	78
See HOT AIR REGISTER BOXES.	
AIR SPACE	
in buildings of first-class, how limited	93
ALTERATIONS. (See REPAIRS.)	
change of egress in case of	60
effect upon certificate as to egress given	61
height of exterior walls of certain buildings when altered in buildings in which lathing or plastering is to be done, fire stops required, or gas pipes and meters to be placed—owners to be notified ready for inspection	62
in buildings used for mechanical or mercantile purposes—superintendents certificate of weight bearing capacity of floor to be posted	72
in buildings used for stable purposes, how placed as to other land and buildings	63
in locations of stationary boiler, furnace, or range set in masonry—none without license of superintendent	77
meaning of word "alteration"	95
of exterior walls of buildings within five feet of line of street, fence required	79
of buildings to assembly halls	81

	PAGE
ALTERATIONS — <i>Continued.</i>	
of air in theatres	84
of buildings into tenement or lodging houses, height of rooms	85
of buildings to more than seventy feet in height shall be first-class buildings	93
of wooden buildings wall or structure not without license of superintendent	94
of buildings within fire limits, not without license of superintendent	94
of buildings within fire limits to conform to that ordinance for a new structure	94
of third-class buildings within fire limits, none without permit from superintendent—and to comply with conditions of permit	95
license for	57
notice to be given superintendent	61
notice of changes affecting certificate as to egress to be given superintendent	61
supports required in case of	57-74
thickness of walls of buildings other than brick and stone altered	63
under charge of superintendent	55-56
weight of floor to be maintained	84
ANCHORS	
for brick walls	67
for first-class and second-class buildings	70
APARTMENT HOUSES	
certain shall have proper means of egress	57
meaning of word.	95
not to be erected until plans of same submitted to superintendent	59
penalty for erecting without submitting such plans	60
pitch of roof limited	74
shall have in certain cases two stairways	58
within fire limits, none to be built within twenty feet of another structure	79
APPLICATION	
acknowledgment of and effect of same	61
conditions required in	61
for certificate as to means of egress	60
for injunction by superintendent	60
for license for grain elevator, buildings for storage of combustibles or explosives, chemical or rendering works	86
last name to be published	86
renewals of	61
to build	59
AREA	
limit of partition walls	69
of one and two-story buildings without partition walls	69

PAGE

ARCHITECT	
to deposit plans	59-60
ASHES AND WASTE RECEPTACLE	
to be made of incombustible substance	85
ASSISTANT OR DEPUTY SUPERINTENDENT	
appointed by superintendent	56
powers of	56
AUDIENCE OR ASSEMBLY HALLS	
exits from	57-58-82-83
plans of same to be erected to be submitted to superin-	
tendent	59
lights in	82
no temporary seats or obstruction in	83
within fire limits not to be built within twenty feet of	
another structure, unless, etc.	79
AUTHORITY OF SUPERINTENDENT. See SUPERINTENDENT.	
BASEMENT	
thickness of, in wooden buildings	63
BEARINGS	
for wooden floor or roof beams in first and second class	
buildings	71
BOARD OF EXAMINERS OF PLUMBERS	
consists of what	97
organization of	97
powers and duties	97-98
BOARD OF HEALTH	
license issued by in another locality	98
may order connection of drain with common sewer	98
may order reconstruction of cesspool	98
may approve fixtures for water closets	100
BOILERS	
above cellar or basement to be set in masonry	76
flues outside, if exposed, and no woodwork on same	75
except for heating not to be erected without license	86
not to be placed or location changed without license of	
superintendent.	77-86
not to be placed under auditorium, or passage or stairway	
of any exit of first or second class building	82
protection from fire from	59
shells of flues of to be brick work	75
so placed as not to be unsafe or dangerous	78
BRICK WALLS	
how built and anchored	67
inside of all furred shall have fire stop	78
brick walls, how anchored	67
how built	67
shall have fire belt or stop	78
brick piers, how bonded	67

	PAGE
BRICK WALLS — <i>Continued.</i>	
brick work consists of what	67
of floor timbers in party walls	71
of party and partition walls	68
of piers	68
over fire places, how supported	76
of chimney enclosed by fire stop	78
BUILDINGS	
access to roof of and openings for same	63
boarding house, egress from	57-58-59
plans before erection of	59
stairways in	58
brick building more than fifty feet in width to have partition walls	94
thickness of external and party walls	70
end of floor beams and rafters, how cut	71
floor timbers, headers or trimmers, how cut	72
foundations of	64-65-66
walls of	67
more than two stories in height	58-59
partition walls in	62
BUTTRESSES	
shall be bonded	68
strength of piers when used	73
CELLARS	
how protected	64
cellar, how ventilated	64
of stables, deviations as to gas piping allowed	71
to be connected with sewer in manner as superintendent may approve	101
CELLARS OF	
at what grade constructed	64
foundation walls to be below	66
ventilation of	64
CEMENT	
not allowed in joints or fittings	71
CENTRAL SQUARE	
area included within	90
CERTAIN BUILDINGS	
placed with reference to adjoining lots	69
and to other buildings	79
CERTIFICATES	
of superintendent as to files of plans, etc.	59-61
of weight bearing capacity to be posted in certain buildings	72
to plumbers by superintendent	97
to superintendent by board of examiners	97
CESSPOOLS	
not allowed when	86

	PAGE
CHANGE	
in premises	61
notice of	56-61-62
CHASE	
if used in partition wall, depth limited	73
none to be used in partition wall without	73
CHURCHES	
egress from	57-59
conductors from	74
stairways in	58
CHIMNEYS	
how topped out	75
furring not used against	75
headers and trimmers, how placed	77
how constructed	74-78
license	73
nails not to be driven into	75
flues for soft fuel	75
plastering of	75
not to be used as a ventilator for a trap or drain pipe	100
CITY COUNCIL	
recommendation of increase of area of one or two story buildings, etc.	69
permission as to building certain kind of	74
CITY ENGINEER	
to furnish grades	56
CIVIL SERVICE COMMISSION	
shall examine persons desiring appointment as inspectors of plumbing	98
COLUMNS	
placing and bearings of	73
COMBUSTIBLES	
buildings for storage of, not to be erected without license	86
CONNECTIONS	
of iron and lead pipes, how made	99
CONDENSER	
to be provided for steam exhaust pipe when connected with drain, sewer or waste pipe	101
CONDUCTORS	
not to be placed so as to cause water to flow across side- walks	73-74
COPPER PIPE	
in gas piping not to be used	71
CORNICES	
projection over highways by license	64
when wall finished with same, weight of to be inside	73

	PAGE
CORPORATION	
how examined and licensed as a plumber	97
DEFINITIONS	
of terms	95-96
DEPUTY SUPERINTENDENT	
how appointed and duties	56
DISTRICT POLICE FORCE. CHIEF OF	
renewal of, acknowledgement for application for certificate	61
notice of change in premises to be given to	61
DOORWAYS	
in partition walls	69
not to be cut through without permit	72
DRAINS	
house drains outside, construction of	99
house drains inside, construction of	99
and connections, how constructed	99
how packed	100
wiped cup joints, what deemed	100
to be connected with sewer when ordered by board of health	98
water leaders to be separately trapped	101
DRIP AND OVERFLOW PIPE	
shall not be connected with drain or sewer pipe	101
DWELLING HOUSES. See BUILDINGS.	
DYNAMO	
except for heating, not to be erected without license	86
DEPOTS	
doors and windows of certain to open outwards	57
provisions as to openings in party and partition walls, do not apply to	69
within fire limits not to be built within twenty feet of another structure, unless, etc.	79
requirements as to partition wall, not applicable to	94
DORMITORIES	
of the first and second class, requirements as to partition walls, not applicable to	94
DWELLING HOUSES.	
ordinance in general, apply to, egress from if more than two stories in height	80
foundation walls of	64
of wooden structure for dwellings not exceeding two stories in height	67
not to be used for storage of inflammable material	85
weight of floors of	72
sanitary arrangements for	86
cellar of, how protected	64

	PAGE
DWELLING HOUSES — <i>Continued.</i>	
cellar of, how ventilated	64
egress from, means of	57-58-59-80-81
aisles, not to be obstructed	58-83
certificate as to proper means of, from	58-59-60
certificate of, not to be in force longer than license	61
copy to be posted	60
in case of theatres and public assembly halls	81-83
notice of additional ways of	61
ways of, may be applied to outside of building	59
ways of, may project over highways	59
weight and effect of certificate of	60
examination of materials, construction, alteration, repair, and use of by the superintendent	55-60
erected within eight feet of a street to be furnished with conductors	73
extinguishing fire, means for	77
EGRESS. See also BUILDINGS.	
proper means to be provided	57-58-80-81
certificate of, to owner or lessee	58
change of superintendent, and chief of district police to have written notice of	61
occupants of buildings may apply for certificates	59
superintendent to give written notice of required change	61
shall have a ventilating skylight	58
ELEVATORS	
construction of	64-80
license for erecting and operating same	86-81
not to be used until approval of superintendent	81
how long to be operated upon license	81
ENGINE	
except for heating not to be erected without license	86
not to be placed under auditorium or stairways of certain buildings	82
EXCAVATIONS	
how supported	57-64
EXITS	
of certain buildings shall be opened for every audience	83
EXPLOSIVES	
buildings for storing same, not to be erected without license	86
not to be placed under stairways	81
not to be stored so as to render egress hazardous	81
EXTERNAL PARTS	
of all structures of third class, how covered	93
EXTERNAL WALLS	
how built	68-69
of one and two story buildings, how covered	69
of brick buildings	70
openings in, strength of piers	73

	PAGE
FENCE ENCLOSURES	
to be erected in case of erection, renewal, or alteration of buildings within five feet of line of a public street	79
FACTORIES	
egress from	57-58-59
plans of before erection	59
FAMILY HOTEL	
egress from	57-59
plans of before erection	59
stairways in	58
within fire limits, not to be built within twenty feet of another structure	79
FIRST CLASS	
air space limited in	93
anchors for	70
ends of floor beams in, how to enter wall	71
containing more than fifty rooms above first floor shall be floors, how tied	93
foundation walls	68
mortars in	64
over seventy feet high shall be	93
party walls in other than dwellings	68
party walls to be of brick	68
pitch of roof of certain	74
shall have supports and kind of same	72
weight bearing, metal to be protected	74
what constitutes	93
what shall be	81-93
upright supports for	74
FOUNDATIONS OF	64-65-66
piles for	66
FRAME	
of certain height, how constructed	62-63
grade of floor of basement	57
FIRE ESCAPES	
means of	59
strength of platform of	59
FIRE EXTINGUISHERS	77
FIRE LIMITS	
established	79
description of buildings to be erected in	79-87
means of egress required in	80
FIRE STOPS	
provisions for	59
notice to be given superintendent before placed in buildings	62
to be placed inside of furred brick wall	78-79
to be located by superintendent	62
FIRM, EXAMINATION OF	
for certificate as a plumber	97
FLIGHTS	
extent of, in assembly halls, etc.	82

	PAGE
FLOOR	
area of	69-70
limit to recommendation	71
of superintendent and city council	71
beams of, how tied	72
beams, how to enter wall, and how cut	71
hot-air register boxes placed in	76
timber, how cut for piping	72
how supported by brickwork	71
piping to be laid on top of as far as possible	71
how far placed from chimney	77
walls, how tied	72
safe weight of	72
FLUES	
none in party wall without license, depth of, in wall	73
height where soft fuel used	75
shall be plastered	75
shall be set in brick	75
requirements for woodwork around assured	75
how placed near woodwork	77-78
FOUNDATIONS OF FRAME OR WOODEN BUILDINGS.	
See BUILDINGS.	
FRONTAGE	
for exits for certain buildings	81
FURNACES	
above basement to be set in masonry	76
stationary, not to be changed without permit	77
top of, how far set from ceiling	77
to be covered with brick	75
shall be placed so as to be safe	78
except for heating, not to be erected without license	86
not to be located under auditorium or stairways of certain buildings	82
furring, how near to chimney placed	75
GAS LIGHTS	
in theatres, how protected	84
GAS PIPES	
before placed in buildings, notice to be given to super- intendent for inspection	62
to be located by superintendent	62
requirements for	71
GRADE	
of cellar or basement	64
of basement floor to be given by superintendent	57
to be furnished by city engineer	56
GRAIN ELEVATOR	
not to be erected without license	86
GREASE TRAP	
to be constructed in certain buildings	102
HARVARD SQUARE	
area included within	91

	PAGE
HEADERS	
how cut for piping	72
how hung	72-77
HEARTHES	
how constructed	76
HEATING APPARATUS	
shall be set so as to be safe	78
not to be placed under auditorium or stairways of certain buildings, except steam or hot air pipes and radiator	82
HEIGHT	
of buildings	57
of exterior walls in tenement or lodging houses	63
HOT AIR PIPES	
in certain buildings, not to be placed nearer than one inch to the woodwork	60
HOT AIR REGISTER BOXES	
how set	78
in partitions	76
HOT WATER HEATING	
not to be put in without license of superintendent	77
HOUSES. See BUILDINGS.	
HEIGHT OF	57
of exterior walls of buildings used for tenement or lodg- ing houses	63
over seventy feet shall be a first class	93
containing more than fifty rooms above first floor shall be first class	93
HOTELS	
certain, shall be in first class	93
egress from	57-58-59
pitch of roof of	74
plan of proposed erection to be made	59
stairways in	58
requirements as to partition, not applicable thereto	94
INSPECTION	
of	62
INFLAMMABLE MATERIALS	
not to be placed under stairways	81
not to be stored so as to render egress hazardous	81
buildings for storage of, not to be occupied as dwellings	85
not to be erected without license	86
INJUNCTION	
obtained at instance of superintendent	60
INMAN SQUARE	
area included within	92
INNHOLDER	
who fails to comply with provisions of ordinance as to exits, red lights, and night watchmen, shall forfeit his license	85

	PAGE
JOURNEYMAN PLUMBER	
meaning of word	96
KENDALL SQUARE	
area included within	92
LEDGER BOARDS	
not to be used when	62
LECHMERE SQUARE	
area included within	91
LICENSE	
application for, to be filed with superintendent	86
application for, to be published	86
before building, every person shall have	56
issued by Board of Health or Superintendent in another locality may be renewed by superintendent	98
cutting for piping, not more than two inches without	59
one of a firm sufficient	97
no opening in party or partition wall without	72
no recess, chase or flue, not vertical, shall be made with- out special license	73
for steam heating apparatus	77
no engine, boiler, dynamo or furnace, except for heating, without license	86
notice of hearing on application for	86
required by law a municipal ordinance, person applying must have certificate of superintendent	61
special for grain elevators, buildings for storage of com- bustibles or explosives, for chemical and rendering works	86
special license for cornice	66
special license for piles for wooden buildings	67
superintendent may revoke	102
to inspectors of plumbers by Superintendent	98
wall, structure, damaged by fire, repaired without license within fire limits, no building or structure to be erected or altered without	94
wooden building, wall or structure, not to be moved within fire limits without	94
LIGHT SHAFTS	
shall be filled between studs with fire-proof material	64
LIGHTS	
for rear of auditorium and for passageways, stairways, and exits of certain buildings, shall be independent of others	82
LODGING HOUSES. See BUILDINGS.	
LATHED OR PLASTERED	62

	PAGE
LODGING HOUSES.	
brick partitions in	62
egress from	57, 58, 59
plan of before erection	59
safe weight of floors in	72
stairway in	58
ventilation or transom windows in	84
sanitary requirements of	86
watchmen for	84
height of room in	84-85
not to contain inflammables	85
within fire limits not to be built within twenty feet of another structure	79
LAFAYETTE SQUARE	
area included within	89
LATHEÐ OR PLASTERED BUILDING. See BUILDING.	
LEADERS	
traps to be provided with brass clean-outs	101
for buildings within eight feet of a public street	73
for buildings over forty-five feet high	74
MANUFACTURING	
wooden structures, upon what foundations built	67
pitch of roof of	74
MERCANTILE	
certificate of weight-bearing capacity of floor to be posted in	72
egress from	57-59
height roofs	74
plans of before erection	59
safe weight of floors in	72
sanitary requirements of	86
MATERIALS	
quality of	56-63
strength of	56
METAL-COVERED DOORS	
in wooden buildings to the satisfaction of superintendent	62
METAL	
weight-bearing, protection of	74
columns, foundations for	73
METERS	
to be located by superintendent	62-71
MORTARS	
how made	64
NIGHT WATCHMAN	
for lodging and tenement houses	85
NOTICE	
of change of premises by owner	61
when change ordered by superintendent	61
of intentions to build	56

	PAGE
NOTICE — <i>Continued.</i>	
of proper means of egress to be given	57
of lathing and plastering	62
to superintendent of plumbing to be inspected	102
on prohibition of use of elevator	81
OBSERVATION	
structure, or stand not to be erected on roofs	74
OFFICE	
pitch of roof of	74
weight of floors	72
OPENINGS	
in partition walls	69
must be provided with doors	69
ORDINANCES	
prior repealed	102
penalty for violations of	60-102
OBSTRUCTIONS	
not to be allowed in aisles or passageways of certain buildings	83
OVENS	
shells of flues for, how set	75
OWNER	
entitled to certificate as to safety of appliances for egress	58
entitled to notice when changes ordered by superintendent	61
to connect premises with sewer	98
to pay expenses of supporting structure in process of erection	57
to provide proper means of egress	57
OPENINGS	
at floor	62
in partition walls of other than first class buildings	69-73
ONE AND TWO STORY	
exterior walls and roof how covered	69
line covered	69
PLANS OF	
before alteration, construction, or repair to be filed with superintendent	55-56-59-98
PRIVATE INSTITUTIONS	
within fire limit not to be built within twenty feet of another structure unless, etc.	79
projection of egress of, over highways	59
PUBLIC BUILDINGS	
construction, inspection, repair, alteration, care and cus- tody of, under sold charge of superintendent	55
partition walls requirements not applicable to	94
egress from	57-58-59
within fire limits not to be built within twenty feet of another structure	79

	PAGE
PUBLIC HALL	
egress from	57-59
plan of before construction	59
within fire limits not to be built within twenty feet of another structure, unless, etc.	79
PUBLIC HOTEL	
within fire limits not to be built within twenty feet of another structure, unless, etc.	79
PUBLIC INSTITUTIONS	
within fire limits not to be built within twenty feet of another structure, unless, etc.	79
PARTITIONS AND PARTY WALLS	
in wooden buildings where two or more families reside	62
more than two stories high, how thick	62
between buildings nearer than three feet	63
of first class dwellings	68
of dwellings of the first and second class	68
of buildings of the first and second class other than dwellings	68
of other buildings	69
of brick buildings other than dwellings, thirty feet in width	70
thickness of latter	70-71
no openings to be cut through without permit of super- intendent	72
roof and floor timber entering same to have brickwork between ends	71
of recess, chase or flue in depth limited	73
no recess, chase or flue in without license	73
hot air register boxes placed in, how set	76
separating lobbies in theatres	83
PENAL OFFENSE.	
to operate elevator or remove or deface notice of prohibi- tion of use of same	81
PENALTY	
for violation of ordinances	60-102
PERMIT. See LICENSE.	
PIERS	
requirements for	67
thickness of, in case of openings in external walls or where buttresses are used	73
PILING	
how driven	66-67
grade of same	66
requirements for	66
shall have caps	67

	PAGE
PIPES	
no black varnish allowed	71
drain pipes and connections, construction of	99
to be put in buildings according to plans approved by superintendent	98
house drains outside of buildings to be of vitrified drain pipe	99
inside drains of iron pipe and weight of same	99
high service pipes provided for stages for theatres	84
iron soil pipes, joints and how packed	99
lead pipes, joints in	100
soil pipes	101
waste pipes furnished with traps	100
drip or overflow pipes not to be connected with sewer	101
steam exhaust pipe to be supplied with a condenser	101
water pipe to be protected from frost	101
to be put to water test	101
 PLANS AND SPECIFICATIONS. See BUILDINGS.	
PLUMBERS	
must be licensed	96
must register	96
must be examined	97
PLUMBING	
none done without permit	98
inspection of	102
testing of	101
PRACTICAL PLUMBER	
meaning of	96
PRIVY	
for certain kind of houses	86
not allowed when	86
PROSCENIUM	
in theatres, how protected against fire	83
shall be provided with sprinklers	84
PROJECTION	
of egress over highways	59
PUTNAM SQUARE	
area included within	90
QUINCY SQUARE	
area included within	91
RANGES	
shells of flues of, how set	75
outside of flues exposed	75
not placed or changed without permit of superintendent	77
RECESSES	
depth of	73
when used, strength of piers	73

	PAGE
REGISTER BOXES	
how set and of what made	78
REPAIRS. See ALTERATIONS.	
of egress	58
of buildings burnt by fire	94
ROOFS	
of certain one and two-story buildings, how covered	70-74
no observation stand on	74
pitch of	74
weight bearing capacity of	74
timber in party walls, how supported	71
bearings of	71
how cut, entering a wall	71
how cut for piping	72
STEAM HEATING	
not to be placed in a building without a license	77
STEAM PIPE	
how near to woodwork	60
STIRRUP IRONS	
to be provided for headers	72
all furred brickwork shall have	78
before putting in notice to be given superintendent	55-62
STOPS	
fire brick required by superintendent	60
STRUCTURES	
none within fire limits to be repaired except upon license of superintendent	94
SUPPORTS	
required by every structure	57
upright, how protected	74
floor bearing for first and second class buildings	72
SUPERINTENDENT	
application for license to be filed with	86
area for partition walls, as recommended by	69
bow vents to be constructed to his satisfaction	100
cellar to be connected with sewer as he approves	101
certain buildings not to be altered or repaired without license of	94
certain buildings not to be altered or repaired without his approval	94
certificate to be given as to ways of egress by	59
certificate as to building by	61
certificate of weight bearing capacity to be posted in certain buildings built or altered by	72
chimneys plastered as approved by	75
chimneys to be constructed to his satisfaction	74
compensation of	55

SUPERINTENDENT — *Continued.*

PAGE

control of enforcement of plumbing ordinances by . . .	55
fence enclosures for protection against accidents in building near line of street, to be to his satisfaction . . .	79
entitled to notice of change in premises	61
his permit necessary before any plumbing work can be done	98
joints shall be wiped solder unless he otherwise permits . . .	99
license for chase, recess of flue in party wall by	73
materials to be subject to his approval	56
may prevent employment of persons in certain buildings . . .	57
may enter premises where fire has occurred	56
may direct construction of stairways	58
may compel proper supports to be given to structures	57
may give and revoke certificate as to sufficiency of means of egress	58-60
may require fire stops	60
may require protection for hot air and steam pipes	60
may give license to lathe and plaster	62
may require applicant to ascertain by boring whether or not piling is necessary	66
may permit modern buildings for manufacturing purposes to be built on certain foundations	67
may permit use of rooms in private stables	85
may permit external walls to be built partly of iron and steel	69
may permit erection of cupolas and towers without party walls	69
may prescribe automatic fire alarms in certain lodging and tenement houses	85
may prescribe method of notifying under application	86
may prescribe material of covering of walls and roofs of one and two story buildings	69
may require automatic sprinklers for stages of theatres	84
may prohibit use of certain elevators	81
may give certificate of plumbing	97
may renew license of plumbing issued in another locality	98
may revoke license to plumber	102
may require nettings for skylight	74
may require protection for weight bearing metal	74
may require proper supports to be given all structures	57
notice to be given to, of buildings to be lathed and plastered	62
no openings in party walls without license of	72
no boiler erected without license of	76
no boiler changed without license of	77
no elevator used until his approval	81
no wooden buildings within fire limits to be moved without his permission	94
no alterations on third class buildings except with his permission	95
notice of change in place of business of plumber to be given him	97
notice of proposed water test to be sent him	101

	PAGE
SUPERINTENDENT — <i>Continued.</i>	
one of board of examiners of plumbers	97
plans and specifications of buildings to be constructed to be filed with	59
partitions and metal covered doors in wooden buildings to be to his satisfaction	62
protection of woodwork to his satisfaction	77
plans for pipes, tanks, faucets, valves and other fixtures subject to his approval	98
report annually to city council	55
requirements as to smoke pipes and setting of hot air register boxes, under control of	76-78
repairs upon soil and vent pipes submitted to water test at his discretion	102
shall give notice to owner to provide proper means of egress	57-61
shall direct means of egress from fire	58
shall be an architect, builder or mechanic	55
shall examine and inspect buildings	56-60
shall make records of violations of ordinances	55
shall have sole charge of public buildings	56
shall appoint an assistant	56
shall supervise construction of buildings for other de- partments when requested	55
shall have authority of inspector of buildings	56
shall receive notice of intention to build	56
shall have power to direct notice to be given others	56
shall issue licenses to build	56
shall designate grade of basement	57
shall locate gas pipes and meters	62-71
shall approve thickness of wall and method of construc- tion of buildings in whole or in part of other than brick, stone or wood	63
shall provide for protection of wooden buildings erected near others	63
shall provide for protection of elevator wells and light shafts	64
shall condemn all improper mortars	64
shall determine depth to which floor timber headers or trimmers of brick buildings shall be cut	72
shall direct where holes are to be bored in columns	73
shall determine construction of chimneys, flues, furnaces, boilers and heating apparatus	77-78
shall determine fire stops for air passages	79
snow guards shall be erected to his satisfaction	79
shall approve method of covering of external parts of third class buildings	93
shall give notice for hearing under applications for license	86
shall receive applications for appointment of persons as plumbers	96-97
shall appoint one or more inspectors of plumbers	98
upon application for a certificate of egress, shall give ac- knowledgment of the same	61
ways of egress as specified by, may be placed outside of buildings and over highways	59

	PAGE
SUPERINTENDENT— <i>Continued.</i>	
water closets to have fixtures satisfactory to	100
water closets shall be vented as he deems practicable .	101
when pipes, etc., are ready for inspection, notice to be given to	102
STABLES. See BUILDINGS.	
provisions as to openings in partition walls, not appli- cable to	69
requirements as to partition walls not applicable to .	94
how located with reference to adjoining lots	63
STORAGE	
pitch of roof of	74
SCHOOL HOUSES	
egress from	57-58
partition walls not requisite in	94
sanitary arrangements for	86
provisions as to openings in party walls, not applicable to within fire limits not to be built within twenty feet of another structure, unless, etc.	69 79
SECOND CLASS	
anchors	70
ends of floor beams in, how to enter wall	71
exterior parts in more than forty-five feet above side- walk, how made	79
floors, how tied	72
foundation walls of	68
mortars in	64-68
party walls in other than in dwellings	68
party walls to be of brick	68
pitch of roof of certain	74
roof of, within fire limits, how covered	74
shall have supports and kind of same	72
walls, how tied	72
weight-bearing metal to be protected	74
what constitutes	93
SCALE	
for gas piping	71
SEWAGE	
to be connected with sewer	98
SEATS	
no temporary in aisles or passageways of certain buildings	83
SMOKE PIPES	
requirements for	75-76
SNOW GUARDS	
buildings within five feet or less of line of a street to have	79
SMITH SQUARE	
area included within	92
SIDEWALKS	
water not to be run over from leaders or conductors .	73-74

	PAGE
SHEET PILING	
to protect excavations	64
SILLS OF WOODEN BUILDINGS	
distance above ground	63
SKYLIGHTS	
netting required for	74
STAIR STRINGERS	
cut of same	82
SPRINKLERS	
for theatres	84
STAIRWAYS	
required for certain buildings	58
construction of, may be directed by superintendent	58
no temporary seats or obstructions in certain buildings	83
STAIRS AND LANDINGS	
shall have railings	82
STEAM EXHAUST PIPE	101
not to be connected with sewer	101
TAIL BEAMS	
how framed or hung	72
TENANTS	
entitled to what information as to egress	58
notice as to means of egress may be given to	61
TRANSOM WINDOWS	
for ventilation	84
TRAPS	
construction of	100
grease traps, when constructed	102
how protected	100-101
superintendent to be notified when ready for inspection	102
TRIMMERS	
arches, construction of	76
depth to be cut	72
how far from chimney flue	61
TRUSSES	
use of	72
TENEMENT HOUSES. See BUILDINGS.	
egress from	57-58-59
height of rooms in	85
night watchman for	85
red light at head of stairs, to be kept burning	85
shall not be used for storage of inflammable or combustible substance	85
stairways in	58
to have partition walls	62
transom windows for	84
water closets for	86
within fire limits not to be built within twenty feet of another structure, unless, etc.	79
weight bearing capacity of floors of	72

	PAGE
TENEMENT HOUSES—Continued.	
safe weight of floors	72
support of excavations for	57-64
three or more stories in height	57-59
elevator and light shafts in	64
no openings to be cut through without permit	72
depths of flue in party wall of	73
THEATRES. See BUILDINGS.	
egress from	57-58-59-81-84
pitch of roof of	74
lobbies in	83
plans of before erection	59
proscenium in, material of	57-58-83
shall be a first or second class	81
within fire limits not to be built within twenty feet of another structure, unless, etc.	79
scene docks, carpenter shops, etc., separated from rest of stage	83
shall have independent exits	81
passages in, and aisles	84
shall not be obstructed	81
service standpipes for	84
sprinklers for	84
stage, how constructed and protected	83
ventilation for	84
walls to be built around same	83
THIRD CLASS	
alteration or repair of without permit	95
what is	93
within fire limits not to be moved without license of superintendent	94
URINALS. See WATER CLOSETS.	
VENTILATION	
apparatus to be satisfactory to superintendent	77
air-space in buildings for	85
of space between floor and cellar bottom	64
in tenement and lodging-houses, transom windows for	84
for water-closets in tenement and lodging-houses	86
VAULTED WALLS	
materials for	70
weight of cornice to	73
VIOLATION OF ORDINANCES. See PENALTY.	
60-81-102	
WALLS—EXTERIOR	
may be in part of iron and steel	69
of certain brick buildings other than dwellings	70
of first or second-class buildings	68-70
of certain tenement and lodging-houses	63
of one and two-story buildings, how covered	69
how tied	72
thickness of same	63-73
not to be moved without license	94
not to be repaired without license	94
party walls. See PARTITIONS.	
piers of	73

	PAGE
WASTE-PIPES	
how trapped	100
WASTE WATER	
to be carried off as approved by superintendent	98
WATER CLOSET	
for different kind of buildings	86
how supplied with water.	100
how ventilated	86-101
Drip or overflow pipes from, not to be connected with sewer, etc.	101
WATER LEADER	
to be trapped	101
WATER PIPES	
in exposed places, how protected	101
WATER TEST	
when used	101-102
WATCHMAN	
night, in certain buildings	85
WEIGHT-BEARING MATERIAL	
in first and second class buildings, how protected	74
WINDERS	
width of	82
WOODEN COLUMNS	
how supported	73
WOODEN FLUE	
not to be placed in certain buildings	60-77
WOODWORK	
proximity to brickwork of flue	75-77
WOODEN BUILDINGS. See BUILDINGS.	
to be of certain height, construction of	62-63
foundations and pilings for	64-65-66-67
partition walls in	62
not to be moved or altered unless	94
to be lathed and plastered, notice to be given to superintendent of same	62
occupied by two or more families on same floor to have partition walls	62
certain may be altered or repaired with approval of superintendent within limits	94
sills of, how placed above ground	63
thickness of basement walls of	63
exterior and interior walls, separated by fire stops	78-79
in which operatives are employed, sanitary arrangements for	86
within fire limits, not to be erected, altered, repaired or moved without license of superintendent	94



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